

**HAWAII BOARD OF CHIROPRACTIC**  
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: February 1, 2021  
Time: 9:30 a.m.  
Place: Virtual Videoconference Meeting – Zoom Webinar  
(use link below)  
<https://dcca-hawaii-gov.zoom.us/j/97776012580>

Present: James Pleiss, D.C., D.A.B.C.O., Chair  
Rachel M. Klein, N.D.D.C., Vice Chair  
Alicé H. Ogawa, D.C., Member  
Relley Araceley, Executive Officer (“EO”)  
Risé Doi, Executive Officer  
Daniel Jacob, Deputy Attorney General (“DAG”)  
Susan A. Reyes, Secretary  
Kedin Kleinhans, Executive Officer  
Erin Emerson, Secretary

Excused: Gerald Simmons, Member

Guests: None.

Individuals wishing to provide public comment may do so at the beginning of each agenda item. Pursuant to HAR §16-76-62(a)(5), the Board will limit an individual’s public comments to (5) minutes for each agenda item. Public comment on issues not on the agenda may be considered by the Board at a subsequent meeting. The Board is precluded from discussion or acting on items raised by public comment that are not already on the agenda.

A brief video explained meeting procedures and information on how members of the public can participate during the meeting.

Call to Order: There being a quorum present, the meeting was called to order by Chair Pleiss at 9:38 a.m.

Approval of Meeting Minutes: Minutes of the September 2, 2020 and November 5, 2020 Board Meetings

Chair Pleiss asked if there are any members of the public who would like to provide oral testimony on this agenda item, to which there were none.

Chair Pleiss asked the Board if there were any comments or changes to the minutes.

Chair Pleiss stated that for the November 5, 2020, he had called the meeting to order, and not Dr. Klein.

Vice Chair Klein moved, and Dr. Ogawa seconded to accept the minutes as is. The motion was unanimously carried.

Chapter 91, HRS,  
Adjudicatory Matters: Paul M. Nakamoto CHI 2020-28-L

At 9:40 a.m. a recess was called to discuss Adjudicatory Matters.

The meeting reconvened at 10:00 a.m., Chair Pleiss did a roll call, all board members were present.

It was motioned by Chair Pleiss, seconded by Dr. Ogawa, and unanimously carried by roll call vote, to accept the settlement agreement.

Applications for  
Licensing:

A. Ratification of Issued License(s)

Chair Pleiss asked if there are any members of the public who would like to provide oral testimony on this agenda item, to which there were none.

1. Michael R. Provost
2. Jason D. Hunt
3. Kazuya Sasaki
4. Skyler P. Meineke
5. Susana d. Ramirez

It was motioned by Dr. Klein, seconded by Chair Pleiss, and unanimously carried, to ratify the above staff approval of the licensee(s).

Continuing  
Education ("CE"):

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

Chair Pleiss asked if there are any members of the public who would like to provide oral testimony on this agenda item, to which there were none.

See attached list(s).

It was moved by Dr. Ogawa, seconded by Vice Chair Klein, and unanimously carried to ratify the approval of the following CE courses:

Index No. HI 20-281 – HI 20-295  
Index No. HI 20-298 – HI 20-301  
Index No. HI 20-303  
Index No. HI 20-305 – HI 20-307  
Index No. HI 20-309 – HI 20-315  
Index No. HI 20-130 R20  
Index No. HI 18-092 R20  
Index No. HI 19-084 R20  
Index No. HI 19-086 R20  
Index No. HI 20-015 R20 – HI 20-018 R20  
Index No. HI 18-111 R20 – HI 18-112 R20

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

Index No. HI 20-296, 17 hours, out of 17.25 hours requested  
Index No. HI 20-302, 16 hours out of 16.75 hours requested  
Index No. HI 20-308, 34 hours out of 34.5 hours requested

It was moved by Dr. Ogawa, seconded by Vice Chair Klein, and unanimously carried to approve the following CE courses with adjusted hours. The non-approved hours do not comply with the provisions of Chapter 76, subchapter 6, HAR:

Index No. HI 20-297, 34 hours offered/21 hours may be earned, out of 34 hours requested  
Index No. HI 20-304, 16 hours, out of 17 hours requested  
Index No. HI 18-086 R20, 11 hours, out of 12 hours requested  
Index No. HI 18-087 R20, 19 hours offered/13 hours may be earned, out of 12 hours requested  
Index No. HI 18-088 R20, 19 hours, out of 20 hours requested  
Index No. HI 18-089 R20, 16 hours, out of 18 hours requested

Index No. HI 18-090 R20, 19 hours offered/17 hours may be earned, out of 18 hours requested  
Index No. HI 18-091 R20, 14 hours, out of 18 hours requested  
Index No. HI 18-093 R20, 24 hours, out of 25 hours requested  
Index No. HI 20-106 R20, 201 hours, out of 199 hours requested

Chair Pleiss asked if there are any members of the public who would like to provide oral testimony on this agenda item, to which there were none.

Executive Officer's Report:

A. Office of Information Practices ("OIP") legislative proposal

OIP plans to introduce a bill in the upcoming legislative session relating to Sunshine Law boards. The purposes of the bill are to increase public participation in meetings, to lower the costs of holding meetings, to protect public health and safety, to propose voluntary participation on the boards, and to avoid unnecessary and possibly burdensome travel by board members staff, testifiers, observers, other participants, and the general public, by allowing boards to use interactive conference technology to conduct virtual meetings under Sunshine Law.

After a brief discussion, the Board decided to wait for the bills and make their decision on how to respond later.

B. NBCE Part IV exam schedule

The Board can recommend up to two state board members who are licensed chiropractors to participate as examiners in the Part IV practical exam and one state board member (also a licensed chiropractor) to participate in the June test committee.

After a brief discussion, Chair Pleiss said that Drs. Klein and Ogawa can participate this year. He will contact the NBCE and check on their traveling requirements.

Drs. Klein and Ogawa said that they would like to know about the traveling requirements first before making a decision.

New Business:

- A. HAR 16-76-44 Renewals: Email inquiry from Shelley Kasprick, D.C.

After a brief discussion, the Board decided to reject her request to accept the 8 hours she acquired after the renewal of her license and have EO Araceley refer it to RICO.

- B. Discussion of Board inclusion with the PACE program for review of continuing education (CE) credits

Chair Pleiss stated to the Board that we should try to join PACE to help with the approval of the CE credits. He asked DAG Jacob if the Board could make a motion to accept PACE, or if we need to do a rule change.

DAG Jacob said it would need a rule change, which could take up to a year.

Chair Pleiss said that he could contact FCLB before putting the language together for a rule change.

Vice Chair Klein said that we should also be updating the rule regarding the 45-day to either shortening it or have the option to retroactively approve CEs. She asked to have this put on the agenda to continue discussion on this.

- C. Effects of Governor David Ige's proclamations regarding COVID-19 on the practice of chiropractic in Hawaii.

Chair Pleiss asked DAG Jacob if we as a Board, have a fiduciary responsibility to notify our licensees to abide the Governor's proclamation.

DAG Jacob said that it is the licensee's duty to comply with the law and not the Board's duty to make sure the licensee complies with the law.

Unfinished  
Business:

- A. Request for retroactive approval of continuing education (CE)

The National University of Health Sciences conducted an online CE course "Radiology in Sports" for 8 CE hours, which started on January 28, 2019.

Chair Pleiss said that this is the same situation as what was discussed under "New Business A". He authorized EO Araceley to respond accordingly.

B. Potential rule changes relating to continuing education

The Board will continue its discussion on possible rule changes relating to continuing education.

Chair Pleiss stated that we should move forward and try to do some of the rule changes to try to take the pressure off the Board members for reviewing continuing education applications. It would be cleaner if the Board would only deal with individual practitioners who want to put on seminars that are outside of the purview.

Vice Chair Klein asked Chair Pleiss if he is willing to work on some verbiage with DAG Jacob before the next meeting.

Chair Pleiss said yes, he can do that. He asked the Board members if we were to change the total hours of CE required, how many hours would it be.

Vice Chair Klein said that 30-32 hours. Dr. Ogawa said 36 hours.

Chair Pleiss, in terms of requiring certain categories of CE credits, such as documentation, ethics and radiology. He wanted them to come up with the different categories and the hours for each to be discussed at the next meeting.

Dr. Ogawa asked about the seminars are supposed to be in person or online only.

Chair Pleiss said that it is moot right now. He did get a hold of Ohio's interactive online learning, which he likes.

Vice Chair Klein said that the rules should specify that online is okay.

C. Potential change of Board meeting day

Chair Klein said that he and Dr. Ogawa does not work on Wednesdays and Vice Chair Klein has a lighter day on this day. He asked EO Araceley to check his schedule if Wednesday would be okay to have the meetings on instead of Thursdays.

EO Araceley said that he will check his schedule. Ms. Reyes responded that Wednesdays are open for her.

Next Meeting:

May 6, 2021

9:30 a.m.

Virtual Videoconference Meeting – Zoom Webinar

Adjournment: As there was no further business to discuss, the meeting adjourned at 11:19 a.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Relley Araceley  
Relley Araceley, Executive Officer

/s/ Susan A. Reyes  
Susan A. Reyes, Secretary

RD:sar

2/24/21

- Minutes approved as is.
- Minutes approved with changes; see minutes of 3/12/21.