HAWAII BOARD OF CHIROPRACTIC

Professional & Vocational Licensing Division Department of Commerce and Consumer Affairs State of Hawaii

MINUTES OF MEETING

<u>Date</u>: June 30, 2021 Time: 12:00 p.m.

<u>Place</u>: Virtual Videoconference Meeting – Zoom Webinar

(use link below)

https://dcca-hawaii-gov.zoom.us/j/96135745479

<u>Present</u>: James Pleiss, D.C., D.A.B.C.O., Chair

Rachel M. Klein, N.D.D.C., Vice Chair

Alícé H. Ogawa, D.C., Member

Kedin C. Kleinhans, Executive Officer ("EO")
Daniel K. Jacob, Deputy Attorney General ("DAG")

Susan A. Reyes, Secretary

Stephanie Karger (Technical Support) Christine Dela Cruz (Technical Support)

Guests: Lei S. Fukumura, Special Deputy Attorney General ("SDAG")

Rochelle Araki, Executive Officer Jenny Yam, Executive Officer Denise Saffery, Secretary Marc Yoshimura, Secretary

Individuals wishing to provide public comment may do so at the beginning of each agenda item. Pursuant to Hawaii Administrative Rules ("HAR") Section 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.

<u>Call to Order</u>: Chair Pleiss conducted a roll call to establish quorum. All Board

members were present. There being a quorum present, the

meeting was called to order at 12:05 p.m.

<u>Approval of Minutes of the May 5, 2021 Board Meeting Meeting Minutes:</u>

Chair Pleiss asked if any public attendees would like to provide oral testimony on this agenda item, to which there were none. It was

moved by Vice Chair Klein, seconded by Dr. Ogawa, and

unanimously carried to accept the minutes.

Hawaii Board of Chiropractic - Minutes June 30, 2021 Page 2

Α.

New Business:

<u>Presentation from Jason O. Jaeger, DC</u>
National Board of Chiropractic Examiners, District 4 Director

Chair Pleiss reported that Dr. Jaeger will be providing information on the Special Examination for Chiropractic (SPEC), and the Ethics and Boundaries Assessment; however, he is unable to attend this meeting. The presentation will be placed on the agenda for the next meeting.

The following agenda item was taken out of order.

<u>Applications for</u> Chiropractic License:

A. Application(s) for License

1. Caleb Craig

Executive Session:

At 12:11 p.m., it was moved by Vice Chair Klein, seconded by Chair Pleiss, and unanimously carried to enter into Executive Session to consider and evaluate personal information relating to individuals applying for licensure in accordance with HRS §92-5(a)(1), and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with HRS §92-5(a)(4).

At 12:31 p.m., it was moved by Vice Chair Klein, seconded by Chair Pleiss, and unanimously carried to move out of Executive Session.

At 12:32 p.m., a recess was called to discuss Adjudicatory Matters.

The meeting reconvened at 12:49 p.m. Chair Pleiss conducted a roll call to establish quorum. All Board members were present.

It was moved by Vice Chair Klein, seconded by Chair Pleiss, and unanimously carried to defer decision-making on the Chiropractor license application of Caleb Craig requesting additional information with regard to his out-of-State licenses.

The Board returned to its regular order of business.

<u>Chapter 91, HRS,</u> Chair Pleiss asked if any public attendees would like to provide oral <u>Adjudicatory Matters</u>: testimony on this agenda item, to which there were none.

A. Frank J. Cuozzo, CHI-2020-21-L (First Amended)

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

Applications for Chiropractic License:

B. Ratification of Issued License(s)

Chair Pleiss asked any public attendees would like to provide oral testimony on this agenda item, to which there were none.

DC-1485 Angela Do
 DC-1486 Rina A. Patel

It was motioned by Chair Pleiss, seconded by Vice Chair Klein, 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 any public attendees would like to provide oral testimony on this agenda item, to which there were none.

See attached list(s).

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

Index No. HI 20-486 – HI 20-489 Index No. HI 20-492 – HI 20-520 Index No. HI 20-523

It was moved by Chair Pleiss, seconded by Dr. Ogawa, 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 20-485, 23 hours out of 23.5 hours requested Index No. HI 20-490 17 hours out of 17.5 hours requested Index No. HI 20-491, 4 hours out of 4.5 hours requested Index No. HI 20-521, 35 hours out of 35.5 hours requested

It was moved by Chair Pleiss, seconded by Dr. Ogawa, 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 20-522, 98 hours total/22 hours may be earned out of 98 hours requested.

Chair Pleiss asked if any public attendees would like to provide oral testimony on this agenda item, to which there were none.

Chair's Report:

Chair Pleiss indicated that he may not be able to attend the next scheduled Board meeting, but will confirm his availability before the end of August.

Old Business:

A. <u>Discussion on PACE Program and Amendments to HAR</u>
<u>Chapter 76 – Chiropractors</u>

EO Kleinhans stated that he could suggest possible rule language for Board consideration and asked for information on the intent or objective of the planned amendments.

Chair Pleiss responded that the amendments would mostly involve CE. He listed some examples: online credits, increasing required number of hours, retroactive approval, specifying CE categories, e.g., ethics.

Vice Chair Klein noted that the current CE forms would also require amendments.

Dr. Ogawa indicated that the rule package may include the consideration of CE courses recognized by a national regulatory association to be approved by the Board.

EO Kleinhans thanked members for clarifying and added that he will explore administrative rules from other licensing boards for Board discussion and consideration.

Next Meeting: September 1, 2021

12:00 p.m.

Virtual Videoconference Meeting – Zoom Webinar

Adjournment: With no further business to discuss, the meeting adjourned

at 1:10 p.m.

Reviewed and approved by:	Taken and recorded by:
/s/ Kedin Kleinhans Kedin Kleinhans, Executive Officer	/s/ Susan A. Reyes Susan A. Reyes, Secretary
KCK:sar	
7/12/21	
(X) Minutes approved as is.() Minutes approved with changes; see minute	es of

Hawaii Board of Chiropractic - Minutes June 30, 2021 Page 5