

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

**MINUTES OF MEETING**

Date: February 22, 2023

Time: 10:00 a.m.

Place: Queen Liliuokalani Conference Room  
HRH King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii 96813

Present: 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  
Rochelle Araki, Executive Officer (“EO”)  
John Cole, Deputy Attorney General (“DAG”)  
Susan A. Reyes, Secretary

Guests: None.

Call to Order: There being a quorum present, the meeting was called to order by Chair Pleiss at 10:12 a.m.

Approval of Meeting Minutes: Minutes of the October 10, 2022 Board Meeting

It was moved by Vice Chair Klein, seconded by Dr. Ogawa, and unanimously carried to accept the open session with the following corrections:

Page 2 corrections. Bracketed material to be deleted, underlined material added:

- Page 5, [~~6<sup>th</sup> paragraph~~] 4<sup>th</sup> paragraph
- Page 5, [~~9<sup>th</sup> paragraph~~] 7<sup>th</sup> paragraph
- Page 5, [~~11<sup>th</sup> paragraph~~] 9<sup>th</sup> paragraph
- Page 5, [~~6<sup>th</sup> paragraph~~] 10<sup>th</sup> paragraph
- Page 5, [~~14<sup>th</sup> paragraph~~] 12<sup>th</sup> paragraph
- Page [~~6~~] 5, [~~1<sup>st</sup> paragraph~~] 13<sup>th</sup> paragraph

At **10:17 a.m.**, it was moved by Chair Pleiss, seconded by Vice Chair Klein, an unanimously carried to enter into Executive Session pursuant to HRS §92-5(a)(1), “To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both”, and HRS §92-5(1)(4), “To consult with the board’s attorney on questions and issued pertaining to the board’s powers, duties, privileges, immunities, and liabilities”.

At **10:39 a.m.**, it was moved by Chair Pleiss, seconded by Vice Chair Klein, and unanimously carried to exit Executive Session and reconvene to the Board's regular order of business.

Applications:

(1) Chase Picman

After due consideration of the information received, it was moved by Chair Pleiss, seconded by Dr. Ogawa and unanimously carried to approve the application of Dr. Picman.

(2) Thomas John Vanidestine

It was moved by Chair Pleiss, seconded by Vice Chair Klein and unanimously carried to defer the application of Dr. Vanidestine for more information.

It was moved by Chair Pleiss, seconded by Dr. Ogawa, and unanimously carried to approve the ratification list below:

(A) Ratification of issued License(s)

- |      |         |                      |
|------|---------|----------------------|
| (1)  | DC-1542 | Richmond I. Richards |
| (2)  | DC-1543 | Abbie Spencer        |
| (3)  | DC-1544 | Harold J.K. Iseke II |
| (4)  | DC-1545 | Robert R. Pirritano  |
| (5)  | DC-1546 | Joshua F. Bailey     |
| (6)  | DC-1547 | Alessa Dalcourt      |
| (7)  | DC-1548 | Blake J. Freed       |
| (8)  | DC-1549 | Shaun P. Krein       |
| (9)  | DC-1550 | Jeremy A. Broussard  |
| (10) | DC-1551 | Laura J. Akerson     |
| (11) | DC-1552 | Adalie Schmidt       |
| (12) | DC-1553 | Mallory Josh         |
| (13) | DC-1554 | Patrick Cabrera      |
| (14) | DC-1555 | Keeyan Parker        |
| (15) | DC-1556 | Bryan M. Hoggatt     |
| (16) | DC-1557 | Kayla M. Simonson    |
| (17) | DC-1558 | Melissa Crago        |

Continuing Education (A)  
"CE":

Ratification of CE Courses – New Applications and Re-Registrations (see attached list)

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 22-159

Index No. HI 22-163 – HI 22-182  
Index No. HI 22-184 – HI 22-220  
Index No. HI 22-222 – HI 22-226  
Index No. HI 22-228 – HI 22-247  
Index No. HI 22-249 – HI 22-252  
Index No. HI 22-255 – HI 22-258  
Index No. HI 22-260 – HI 22-268  
Index No. HI 22-270 – HI 22-315  
Index No. HI 23-001 – HI 23-006  
Index No. HI 16-073 R22  
Index No. HI 20-288 R22  
Index No. HI 20-452 R22  
Index No. HI 22-060 R22  
Index No. HI 20-165 R23  
Index No. HI 20-219 R23  
Index No. HI 20-402 R23  
Index No. HI 21-721 R23 – HI 21-722 R23

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 22-183,	1 hour approved, out of 1.5 hours requested
Index No. HI 22-221,	1 hour approved, out of 1.5 hours requested
Index No. HI 22-253,	13 hours approved, out of 13.5 hours requested
Index No. HI 22-259	33 hours approved, out of 33.5 hours requested
Index No. HI 22-076 R22,	22 hours approved, out of 22.5 hours requested

It was moved by Dr. Ogawa, seconded by Vic 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 22-227,	18 hours out of 18.75 hours requested
Index No. HI 22-248,	10 hours out of 12 hours requested
Index No. HI 22-254,	12 hours out of 12.75 hours requested

Index No. HI 22-269, 13 hours out of 18.75 hours requested  
Index No. HI 21-691 R22, 11 hours out of 12 hours requested

(B) Other CE Courses

To correct the course name “Cleveland Homecoming/KCA Fall Convention 2017: One With The Force (HI 22-135) to show as: “Gonstead Meeting of the Minds – XIX “Chiropractic Instrumentations” for (12) hours”.

It was moved by Chair Pleiss, seconded by Dr. Ogawa, and unanimously carried to approve the name change stated above.

**The Board recessed at 11:02 a.m. and reconvened at 11:11 a.m.**

Chapter 91, HRS,

Adjudicatory Matters: (A)

In the Matter of the License to Practice Chiropractic of Christopher J. Bruno, D.C.; CHI 2022-4-L

It was moved by Chair Pleiss, seconded by Dr. Ogawa and unanimously carried to approve settlement agreement, CHI 2022-4-L.

(B) In the Matter of the License to Practice Chiropractic of Scott T. Hirashiki, D.C.; CHI 2022-5-L

It was moved by Chair Pleiss, seconded by Dr. Ogawa and unanimously carried to approve settlement agreement, CHI 2022-5-L.

EO Araki noted to the board that the next agenda item, SB 96 is incorrect, and stated that it should be SB 896.

It was motioned by Vice Chair Klein, seconded by Dr. Ogawa, and unanimously carried to change the agenda to reflect the correction.

2023 Legislative Session:

(1) SB 896 RELATING TO REPRODUCTIVE HEALTH CARE

Prohibits a covered entity from disclosing communication or information relating to reproductive health care services. Prohibits the issuance of a subpoena in connection with an out-of-state proceeding relating to reproductive health care services legally performed in the State. Prohibits agencies from providing information or expending resources in the

furtherance of interstate investigations or proceedings relating to reproductive health care services. Prohibits the State from penalizing, prosecuting, or otherwise taking adverse action based on pregnancy outcomes or aiding or assisting a pregnant individual with accessing reproductive health care services. Requires the governor to deny any demand for surrender of a person charged with a crime involving reproductive health care services unless the conduct constitutes a crime in the State. Enumerates laws contrary to public policy and prohibits their application as rules of decision in the courts. Prohibits the issuance of a summons for persons to testify in another state with regard to lawful reproductive health care services. Clarifies under various licensing statutes that the provision or assistance in receipt or provision of medical, surgical, pharmaceutical, counseling, or referral services related to the human reproductive system cannot form a basis for disciplinary action. Prohibits the enforcement of a judgment or order arising from a foreign penal civil action or other penal law with respect to reproductive health care services.

EO Araki stated that this bill affects the statute 442-9. She directed the board to page 13, from line 13. And then on page 14, eliminating the word criminal and instead replacing it with "that is unlawful under the laws of this State or that would be unlawful under the laws of this State if performed within this State." She added that this is part of the Governor's initiative for reproductive health.

The Board provided testimony in support.

(2) HB 638 RELATING TO INSURANCE

Authorizes prescriptions made by chiropractors for physical therapy and therapeutic massage treatment to qualify as a motor vehicle insurance personal injury protection benefit. Replaces the existing cap on the number of chiropractic treatment visits that qualify for motor vehicle insurance coverage with a number of visits that are deemed medically necessary. Amends the reimbursement amount for chiropractic treatment from \$75 per visit to an amount tied to the charges, and any subsequent increases in charges, permissible under the workers' compensation supplemental medical fee schedule. Repeals the thirty-visit cap on combined naturopathic, chiropractic, and acupuncture treatments.

EO Araki is monitoring the bill.

Vice Chair Klein stated that if the bill is heard in Finance, that we should support this bill.

DAG Cole stated that it has to do with the benefits of auto insurance, so they are adding chiropractor as being able to prescribe therapy rehabilitation and therapeutic massage.

After a brief discussion, Chair Pleiss said that we should support the idea that chiropractors are trained in musculoskeletal conditions and should be allowed to refer patients for massage and physical therapy.

Vice Chair Klein said that we should support and verify that it falls within the Board's statutes.

Chair Pleiss agreed.

Legislative Liaison: It was motioned by Chair Pleiss, seconded by Dr. Ogawa, and unanimously carried to have Vice Chair Klein appointed as the legislative liaison until someone else is appointed.

2023 FCLB  
Delegate and

Alternate Delegate: Chair Pleiss stated that this is held the last week of April.

Chair Pleiss noted that he is unable to attend.

Dr. Ogawa also stated that she is unable to attend.

Vice Chair Klein agreed to be the delegate and Dr. Ogawa agreed to be the alternate delegate.

Chairperson's  
Report:

Chair Pleiss asked the board to read through the changes to the HAR before our next meeting.

Chair Pleiss said that the Part IV Test Committee is on June 23 -24, 2023.

Vice Chair Klein agreed to represent the Board at the Part IV Test Committee on June 23-24.

Next Meeting:

May 8, 2023  
10:00 a.m.  
Queen Liliuokalani Conference Room  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, HI 96813

Adjournment: As there was no further business to discuss, the meeting adjourned at 11:39 p.m.

Reviewed and approved by:

Taken and recorded by:

/s/Rochelle Araki  
Rochelle Araki, Executive Officer

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

RA:sar

02/24/23

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