



# STATE OF WEST VIRGINIA

## Board of Chiropractic Examiners

P.O. Box 8532, South Charleston, WV 25303

Phone: (304) 746-7839

E-mail: [wvchiroboard@outlook.com](mailto:wvchiroboard@outlook.com)

Website: [www.boc.wv.gov](http://www.boc.wv.gov)

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December 11, 2017

Governor James C. Justice, II  
Office of the Governor  
State Capitol Building  
1900 Kanawha Blvd., East  
Charleston, WV 25305

Dear Governor Justice:

The West Virginia Board of Chiropractic Examiners is pleased to provide you with our report of the biennium covering activities during the period of July 1, 2015 through June 30, 2017.

The Board is empowered to enforce the rules and regulations of the Board and to exercise full discretion and authority with respect to disciplinary actions. The practice of chiropractic is one that needs to be governed by persons who are educated, experienced, and licensed in the practice of chiropractic. The mission of this Board is to ensure that the public will have access to competent, safe, and ethical practitioners in the profession.

If you should have any questions, please feel free to contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Barbara L. Johnson".

Barbara L. Johnson  
Executive Director

/blj

# West Virginia Board of Chiropractic

I do hereby certify the information contained within the following 2015-2017 Biennium Report of the West Virginia Board of Chiropractic is true and correct to the best of my knowledge.



Barry A. Stowers, D.C., Chairman

12-14-17

Date

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Jeffrey L. Summers, D.C., Secretary

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Date

# West Virginia Board of Chiropractic

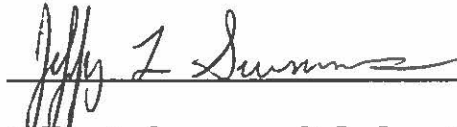
I do hereby certify the information contained within the following 2015-2017 Biennium Report of the West Virginia Board of Chiropractic is true and correct to the best of my knowledge.

---

Barry A. Stowers, D.C., Chairman

---

Date

  
\_\_\_\_\_  
Jeffrey L. Summers, D.C., Secretary

12/13/17  
Date

# ANNUAL REPORT – 2015-2017

*Respectfully Submitted by*  
*Barbara L. Johnson, Executive Director*  
*304-746-7839*  
*wvchiroboard@outlook.com - Email*  
*www.boc.wv.gov - Website*



## WEST VIRGINIA BOARD OF CHIROPRACTIC

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# **BOARD MEMBERS**

## **Chairman**

Barry A. Stowers, D.C.  
111 Lewis Street  
Oak Hill, WV 25901  
(304) 465-0561  
Term Expires: 6/30/2020

## **Vice Chairman**

Geoffrey R. Mohn, D.C.  
3677 US Route 60 East, Suite 4  
Barboursville, WV 25504  
(304) 733-4800  
Term Expires: 6/30/2019

## **Investigative Officer**

Holly L. Harvey, D.C.  
26 Greenville School Road  
Greenville, WV 24945  
(304) 832-6420  
Term Expires: 6/30/2019

## **Secretary**

Jeffrey L. Summers, D.C.  
P. O. Box 4003  
Charleston, WV 25364  
(304) 925-0377  
Term Expires: 6/30/2018

## **Public Member**

H. Jarrett "Jerry" Walker  
11 Quail Cove Road  
Charleston, WV 25314  
(304) 415-3566  
Term Expires: 6/30/2018

# OVERVIEW OF BOARD ACTIVITIES

- Board Members attended Board Meeting/Exam held in Charleston on February 5, 2015.
- Board Members attended the (FCLB) Federation of Chiropractic Licensing Boards Annual Educational Conference in New Orleans on May 6-10, 2015.
- Board Members attended Board Meeting held in Charleston on May 21, 2015.
- Board Members attended Board Meeting/Exam held in Charleston on August 6, 2015.
- The Executive Secretary of the Board attended the 2015 State Purchasing Card Coordinator Seminar on August 12, 2015 at the Days Inn in Flatwoods.
- Board Members attended the (FCLB) Federation of Chiropractic Licensing Boards District III & V Regional Meeting held in Providence, RI on September 17-20, 2015.
- The Executive Secretary of the Board attended the State Auditor's Conference at Snowshoe on September 21-25, 2015.
- The Executive Secretary of the Board, and Board Member, Dr. Roger Kritzer, attended the required Orientation for State Licensing Boards on December 1, 2015 at the Charleston Marriott.
- Board Members attended Board Meeting/Exam held in Charleston on February 4, 2016.
- Board Members attended the (FCLB) Federation of Chiropractic Licensing Boards Annual Educational Conference held in Phoenix, AZ on April 27-May 1, 2016.
- Board Members attended Board Meeting held in Charleston on May 19, 2016.
- The Executive Secretary of the Board attended wvOASIS training workshops in 2016.
- Board Members attended Board Meeting/Exam held in Charleston on August 4, 2016.

- Board Members attended the (FCLB) Federation of Chiropractic Licensing Boards District III & V Regional Meeting held in Nashville, TN on September 15-18, 2016.
- The Executive Secretary of the Board attended the 2016 State Purchasing Card Coordinator Seminar on October 26, 2016 at the Days Inn in Flatwoods.
- The Executive Secretary of the Board, as well as Board Members, Dr. Jeff Summers, Dr. Holly Harvey, and Jerry Walker, attended the required Orientation for State Licensing Boards on November 29, 2016 at the Charleston Marriott.
- Board Members attended Board Meeting/Exam held in Charleston on February 2, 2017.
- The Executive Secretary of the Board, as well as Board Member, Dr. Holley Harvey, attended the (FCLB) Federation of Chiropractic Licensing Boards Annual Educational Conference held in Orlando, FL on May 3-7, 2017.
- Board Members attended Board Meeting held in Charleston on May 18, 2017.



# REVENUE

## July 1, 2015-June 30, 2016

License Renewal Fees 2015/2016	\$84,650.00
Late Fees	\$1,400.00
Reinstatement Fees	\$400.00
Initial Licensing Fees	\$900.00
Address Listings	\$7,250.00
Incorporation	\$0
Examination Fees	\$2,250.00
Re-Examination Fees	\$0
License Verification Fees	\$0
Photocopies	\$0
Duplicate License	\$0
Continuing Education Approval	\$24,205.00
IRS Reimbursement/BRIM	\$0
Preceptorship Fees	\$50
PLLC	\$450.00
PLLC Renewal Fees	\$16,200.00
Fines	\$0
Reimbursement for Legal Fees	\$3,500.00
FCLB (Federation of Chiropractic Licensing Boards) Reimbursement	\$0
<b>TOTAL REVENUE</b>	<b>\$141,255.00</b>

# REVENUE

## July 1, 2016-June 30, 2017

License Renewal Fees 2016/2017	\$83,375.00
Late Fees	\$600.00
Reinstatement Fees	\$0.00
Initial Licensing Fees	\$450.00
Address Listings	\$4,500.00
Incorporation	\$150.00
Examination Fees	\$1,650.00
Re-Examination Fees	\$0
License Verification Fees	\$5.00
Photocopies	\$0
Duplicate License	\$0
Continuing Education Approval	\$21,800.00
IRS Reimbursement/BRIM	\$0
Preceptorship Fees	\$50.00
PLLC	\$600.00
PLLC Renewal Fees	\$17,100.00
Fines	\$0
Reimbursement for Legal Fees	\$0
FCLB (Federation of Chiropractic Licensing Boards) Reimbursement	\$100.70
<b>TOTAL REVENUE</b>	<b>\$130,380.70</b>

# YEAR-TO-DATE EXPENDITURES

## 4<sup>th</sup> Quarter - 2016

Personal Services (Including Per Diem and Annual Increment)-----	\$41,516.14
Employee Benefits (Social Security, Retirement, Workers Comp, PEIA)-----	\$18,148.87
Rental Expense & Hospitality-----	\$5,134.26
Telecommunications-----	\$2,324.01
Contractual & Professional Services-----	\$10,380.27
Travel-----	\$11,765.18
Association Dues & Professional Membership-----	\$1,020.00
Fire/Auto/Bond (BRIM)-----	\$2,804.00
Training & Development-----	\$2,324.00
Postal & Freight-----	\$1,801.76
Office Expenses (Printing, Supplies/Machine Rental)-----	\$2,679.89
Computer Services/Supplies-----	\$2,123.45
PEIA Reserve Transfer-----	\$369.00
Miscellaneous-----	\$16.13
<b>Total YTD Expenditures for 2016-----</b>	<b>\$102,406.96</b>

# YEAR-TO-DATE EXPENDITURES

## 4<sup>th</sup> Quarter - 2017

Personal Services -----	\$46,165.00
Per Diem -----	\$4,800.00
Annual Increment -----	\$600.00
WV OPEB (Other Post-Employment Benefits) Contribution -----	\$1,986.00
Employee Benefits (Social Security, Retirement, Workers Comp, PEIA) -----	\$19,168.00
Rental Expense & Hospitality -----	\$4,764.00
Telecommunications -----	\$2,275.00
Contractual & Professional Services -----	\$2,531.00
Travel -----	\$10,040.00
Association Dues & Professional Membership -----	\$1,070.00
Fire/Auto/Bond (BRIM) -----	\$2,668.00
Training & Development -----	\$2,285.00
Postal & Freight -----	\$1,598.00
Office Expenses (Printing, Supplies/Machine Rental) -----	\$2,557.00
Computer Services/Supplies -----	\$1,809.00
PEIA Reserve Transfer -----	\$456.00
Miscellaneous -----	\$189.00
<b>Total YTD Expenditures for 2017 -----</b>	<b>\$104,961.00</b>

# LICENSE BY COUNTY SUMMARY

Barbour	3
Berkeley	8
Braxton	1
Brooke	3
Cabell	26
Fayette	5
Greenbrier	6
Hancock	4
Hardy	1
Harrison	16
Jackson	2
Jefferson	9
Kanawha	33
Lewis	5
Logan	6
Marion	8
Marshall	2
Mason	1
Mercer	1
Mineral	3
Monongalia	17
Monroe	2
Nicholas	2
Ohio	5
Preston	4
Putnam	8
Raleigh	13
Randolph	6
Ritchie	2
Roane	3
Summers	1
Taylor	1
Upshur	5
Wayne	4
Wetzel	2
Wirt	2
Wood	30
<b>TOTAL IN STATE</b>	<b>250</b>

# LICENSE BY OUT-OF-STATE SUMMARY

CA	2
CT	1
FL	2
GA	3
KS	1
KY	3
MD	9
NC	1
NY	2
OH	14
PA	19
SC	1
TN	1
TX	2
VA	5
<b>TOTAL OUT OF STATE</b>	<b>66</b>

# COMPLAINTS INVESTIGATED

## Complaints 2015-2017

- Complaint #2015-165; Alleged Harmful Treatment; Complaint Received 2/23/2015; Board Ruled No Probable Cause on 5/21/2015
- Complaint #2015-166; Fee Dispute; Complaint Received 4/27/2015; Board Ruled No Probable Cause on 8/6/2015
- Complaint #2015-167; Alleged Fraudulent Activity; Complaint Received on 11/5/2015; Board Ruled No Probable Cause on 2/4/2016
- Complaint #2016-168; Board Initiated Complaint on 1/14/2016 for Practicing without a License; Authorities Involved and Matter Resolved Immediately
- Complaint #2016-169; Alleged Misrepresentation for Evaluation; Complaint Received on 2/16/2016; Board Ruled No Probable Cause on 5/19/2016
- Complaint #2016-170; Fee Dispute; Complaint Received on 8/11/2016; Board Ruled No Probable Cause on 11/3/2016
- Complaint #2017-171; Blood Test/Fee Dispute; Complaint Received on 6/14/2017; Board Ruled No Probable Cause on 10/19/2017

# **PERSONS LICENSED FROM**

## **JULY 1, 2015 - JUNE 30, 2017**

### **February 5, 2015**

Jessica A. (Corbin) Gissy, D.C.

Travis L. Culver, D.C.

Eric W. Drazich, D.C.

Karim A. Eissa, D.C.

Stephen P. Kieselbach, D.C.

Kyle D. MacPherson, D.C.

Sara A. Stewart, D.C.

### **August 6, 2015**

Tyler S. Chiplinski, D.C.

Suzanne B. Earehart, D.C.

Matthew L. Harbour, D.C.

Michael K. Hart, D.C.

Amanda P. Love, D.C.

Robert S. Love, D.C.

Michael A. Martini, D.C.

Margarita B. Ramos, D.C.



## **February 4, 2016**

Kristi L. Aldridge, D.C.

Jason T. Coe, D.C.

Roanne C. Epps, D.C.

Kurtus M. Esser, D.C.

Nicholas A. Estep, D.C.

William P. May, D.C.

Zachary W. Pappas, D.C.

Caleb R. Perry, D.C.

Phillip P. Woods, D.C.

## **August 4, 2016**

Jennifer M. Bowser, D.C.

Matthew D. Finke, D.C.

Andrew M. Goldbaugh, D.C.

Jean K. Hoffman, D.C.

Matthew D. Spaur, D.C.

Adam C. Tufts, D.C.

**February 2, 2017**

Christopher M. Darlington, D.C.

Kevin D. Osborne, D.C.

Steven T. Show, D.C.



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Monday, December 18, 2017

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**West Virginia**

**WEST VIRGINIA BOARD OF CHIROPRACTIC EXAMINERS**

Licensure Date: 1925 approx

**FCLB Member Board**

Directory page last updated 8/4/2017

The Federation does not provide interpretation of the scope of practice laws or rules of any chiropractic licensing authority, nor can we provide specific details regarding licensing requirements. The educational and testing requirements for each State or Province set forth in this Directory are intended as a general guide. It is strongly recommended that anyone interested in becoming licensed in a particular State or Province contact the Board office or the Secretary of the respective board to secure current and complete details before matriculating in any school.

Barbara L. Johnson, Executive Secretary

For Information Contact:  
415 1/2 D Street, Suite B  
P.O. Box 8532  
So. Charleston, WV 25303

Phone: (304) 746-7839  
Fax: (877) 992-0248  
(Do not use FAX for applications)  
Application requests must be in writing

Time Zone: Eastern  
Office Hours: 9:00 am - 3:00 pm; Monday - Thursday

Email: wvchiroboard@outlook.com  
Web address: www.boc.wv.gov

<b>Exam Dates:</b> 2/2/2017; 8/3/2017	<b>Exam fee:</b> \$150
<b>Application/ Transcript Deadline:</b> 6 weeks prior to exam date; 12/22/2016; 6/22/2017	<b>Initial license fee:</b> \$50
<b>Term:</b> Annual, renew July 1st	<b>License Renewal fee:</b>
<b>Criminal background check:</b> Yes	\$300 - Resident
<b>Fingerprinting:</b> Yes	\$150 - Non Resident or Retired

**Preceptor/Intern/Extern Program:** Students may work under direct supervision of licensed D.C. Contact Board for more details.

<b>Students or graduated:</b> Must be graduate to sit for Board	<b>License(s) Required for Practice:</b> Chiropractic
<b>Require supervised practice prior to full licensure:</b> No	<b>Optional Certification:</b> Physiotherapy (optional but preferred); required to perform & bill

**CONTINUING EDUCATION:**

<b>Requirements:</b> 18 hours per year	<b>Requires sexual boundaries training:</b> No
<b>Distance Credits Allowed:</b> 6 hours only	<b>Requires AIDS awareness/risk prevention training:</b> No
<b>Program Criteria:</b> At the discretion of the Board - approves either sponsor or program. Reputable sponsors, instructors from approved chiropractic colleges	<b>Other specific CE training required:</b> Varies
<b>Accepts uniform continuing education form:</b> Yes	

**CONDITIONS FOR RECIPROCITY/ENDORSEMENT:** Handled on case-by-case basis, state must have requirements equivalent to West Virginia and reciprocate with WV.

**EXAMINATIONS ADMINISTERED BY STATE:** Oral Jurisprudence exam and interview with Board.

**NATIONAL BOARD EXAMINATIONS**

<b>Part I:</b> Required	<b>SPEC:</b> Reciprocity/Endorsement: Not planning to use
<b>Part II:</b> Required	<b>Reinstatement Lapsed License:</b> After a lapse of two years, a license may be issued only after the former certificate holder, subsequent to the lapse, has fulfilled all other requirements of licensure as set forth in Chapter 30, Article 16 (§30-16-6) and has passed the SPEC exam.
<b>Part III (WCCE):</b> Required	<b>Disciplinary Cases:</b> Can use now
<b>Part IV:</b> Required	

**Physiotherapy:** Accepted Impairment Review: Not planning to use  
(required to perform & bill)  
**Acupuncture:** Accepted

**PHYSIOTHERAPY:** Termed Physiological Therapeutic Procedures

**Certification:** Optional endorsement or notation included with  
chiropractic license  
**Additional Education:** 120 hours in subject

**Additional Examination:** Must take state exam /  
NBCE PT  
**Additional Fee:** None

**EDUCATION REQUIREMENTS**

**Min. # years pre-professional education required for licensure:** 2 years or 60 semester hours; Requirement for 4 year degree - July 1, 2005, pre-chiropractic college matriculation.

**Accreditation for Chiropractic Programs/Institutions:** Council on Chiropractic Education; Fully accredited only  
**SPECIAL REQUIREMENTS FOR GRADUATES OF FOREIGN COLLEGE:** Contact Board for specific information.

**SUMMARY OF SCOPE OF PRACTICE:** (Contact State for precise definition by state law)

The practices and procedures which may be employed by Doctors of Chiropractic are based on the academic and clinical training received in and through accredited chiropractic colleges. These shall include the use of diagnostic, analytical and therapeutic procedures specifically including the adjustment and manipulation of the articulations and adjacent tissues of the human body, particularly of the spinal column; included is the treatment of intersegmental disorders for alleviation of related neurological aberrations. Patient care and management is conducted with due regard for environment and nutritional factors, as well as first aid, hygiene, sanitation, rehabilitation and physiological therapeutic procedures designed to assist in the restoration and maintenance of neurological integrity and homeostatic balance.

**OTHER REFERENCE INFORMATION:**

**Board regulates specialty council certification:** Cannot claim to be certified unless shows proof of certification or diplomate status.

**Board permits or authorizes travel-to-treat requirements:** Case by case basis with approval from Board for limited period of time

**Board permits or authorizes telemedicine practices:** No

**Licenses required to carry malpractice insurance:** No

**Additional legally accepted terms for chiropractor** (in addition to Doctor of Chiropractic, D.C., Chiropractor, Chiropractic Doctor): Chiropractic Physician

**Peer Review:** Handled by separate organization or committee

**Certified Clinical Chiropractic Assistants:** Certificate not required; Review Title 4, Series 1, §4-1-2; §4-1-14

**Chiropractors defined as Primary Care Physicians:** No

**BOARD MEMBERS / TERMS:**

Board handles both licensing and disciplinary functions.

**Barry Stowers, D.C., Chairman**, 111 Lewis St., Oak Hill 25901 Exp. 6/2020

**Geoffrey R. Mohn, D.C., Vice-Chairman**, 3677 US Route 60 East, Ste 4, Barboursville 25504 Exp. 6/2019

**Jeffrey L. Summers, D.C., Secretary**, PO Box 4003, Charleston 25364 Exp. 6/2018

**Holly L. Harvey, D.C., Investigative Officer**, Route 1, Box 104, Union 24983 Exp. 6/2019

**H. Jarrett "Jerry" Walker, Public Member**, 11 Quail Cove Rd, Charleston 25314 Exp. 6/2018

**STATISTICAL INFORMATION: Total # of Licensees as of 12/6/2016: 320**

**# of Active licenses:** 320

**# of Inactive licenses:** 100

**# of Other Status:**

(Ex: retired/deceased/terminated/emeritus...)

**# of Nev. licensees:** 15

**# of Resident licensees:** 250

**# of Non-Resident licensees:** 70

**# of Chiropractic Assistants:**



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**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
August 6, 2015 - 8:00 am  
Wingate by Wyndham  
402 Second Avenue  
Charleston, WV 25303**

**Agenda Topics:**

Call to Order

Approval of Minutes from Board Meeting held on May 21, 2015

Jurisprudence Exam (8 applicants scheduled)

Meeting with Judge Phillip M. Stowers

Investigative Officer's Report

- Complaint #2015-166

Old Business

- Stephen D. Herto; Complaint #2012-141
- Joseph J. Yurigan; Complaint #2013-146
- Emil R. Nardone; Consent Agreement & Order
- Mark S. Myers; Consent Agreement & Order

New Business

- Licensee closed practice/destruction of patient records questioned
- Cranial Decompression Discussion
- Marcus G. Miller; license renewal for 2015-2016
- Request for CE approval from National University
- Mandated hours for licensees, with active license, not practicing (retired/disabled)
- Approval of P-Card (purchasing card) expenditures for May and June 2015
- Conflict with Series 2 and Series 3 Rules (Kate Campbell)
- District III & V Meeting, September 17-20, 2015, Providence, RI
- Schedule Date for Fall 2015 Meeting

Adjourn

**MINUTES**  
**WV BOARD OF CHIROPRACTIC BOARD MEETING & EXAM**  
**August 6, 2015**  
**Wingate by Wyndham**  
**402 2<sup>nd</sup> Avenue, South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Jeffrey L. Summers, D.C., Vice Chairman  
Barry A. Stowers, D.C., Investigative Officer  
Holly L. Harvey, D.C., Secretary  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Jeffrey L. Summers  
Barry A. Stowers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary

**CALL TO ORDER:**

Roger A. Kritzer called the meeting to order at 8:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the May 21, 2015 Board Meeting be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**CALL TO ORDER EXECUTIVE SESSION:**

Jeff Summers called for Executive Session.

- Barry Stowers - 2<sup>nd</sup> Motion
- Motion carried.

**CALL TO DISMISS EXECUTIVE SESSION:**

Holly Harvey called to dismiss Executive Session.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

**INVESTIGATIVE OFFICER'S REPORT:**

Reports were presented to the Board during Executive Session and Roger Kritzer called to accept Reports presented as follows:

***Complaint #2015-166***

Jeff Summers made motion for no probable cause.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

***Complaint #2012-141; Stephen D. Herto***

Board is waiting for decision from Administrative Law Judge Jack McClung. No motion needed.

***Complaint #2013-146; Joseph J. Yurigan***

Consent Agreement and Order has not been returned by Yurigan. Jeff Summers made motion to set matter for hearing.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

***Emil R. Nardone***

Administrative Fee was received by Dr. Nardone in the amount of \$2,000. No motion needed.

***Mark S. Myers***

Dr. Myers has fulfilled all of his requirements per his Consent Agreement & Order. Barry Stowers made motion to approve his forms for emotional healing and integration work performed by Dr. Myers

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**NEW BUSINESS:**

Board discussed closing of licensee's practice and destruction of patient records was questioned. No motion needed.

Board discussed Cranial Decompression. No motion needed.

Board discussed Dr. Marcus G. Miller's renewal for 2015-2016. Renewal requirements were met and the Board will mail Dr. Miller his renewal card. No motion needed.

The Board discussed mandated hours for licensees, with active license, not practicing (retired/disabled). No motion needed.

Motion was made by Jeff Summers to approve p-card expenditures for May and June 2015.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

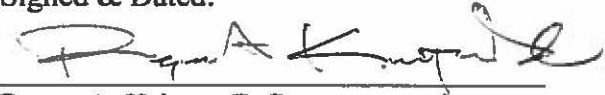
Conflict with Series 2 and Series 3 Rules Tabled.

Board will attend District III & V Meeting to be held in Providence, RI on September 17-20, 2015.

The next Board meeting was scheduled for Thursday, November 5, 2015.

Meeting was adjourned at 2:00 p.m. by Roger Kritzer.

Signed & Dated:

A handwritten signature in black ink, appearing to read "Roger A. Kritzer", written over a horizontal line.

Roger A. Kritzer, D.C.  
Chairman



**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA**

November 5, 2015 - 9:00 AM

Wingate by Wyndham

402 Second Avenue

Charleston, WV 25303

**Agenda Topics:**

**Call to Order**

Approval of Minutes from Board Meeting held on August 6, 2015

**Old Business**

- Stephen D. Herto; Complaint #2012-141  
Recommended Decision dated October 7, 2015
- Joseph J. Yurigan; Complaint #2013-146  
Request for Continuance - November 2, 2015 Hearing
- Emil R. Nardone

**New Business**

- Licensee closed practice/destruction of patient records questioned
- Email sent to Board of Psychology regarding a chiropractor in Charleston
- Non-Licensee and Social Media
- Conflict with Series 2 and Series 3 Rules (Kate Campbell)
- FTC Staff Guidance on Active Supervision of State Regulatory Boards Controlled by Market Participants
- FARB's Response to FTC Guidance on Active Supervision of State Boards
- WV Supreme Court Decision Regarding Complaint Procedures; WV Board of Registered Professional Nurses
- Email from Nelson dated October 20, 2015  
**Subject:** CE for Mandated Hours  
Legal Safeguards (social media marketing - - best practices to avoid legal & ethical issues) and Scope of Practice: "How to Stay Out of Trouble"; and Courtroom Circumstances

- Email from Nelson dated October 27, 2015  
**Subject:** Most recent meeting of mandatory class and 12 hours of CE following
- Email from Nelson dated October 28, 2015  
**Subject:** WV Medicaid MCO Chiropractic Matrix
- ART (Active Release Technique) - Considered Board Certified Specialty?
- Letter received from Licensee, dated October 10, 2015, regarding June 2, 2015 correspondence (social media) from Board
- Email from Dr. Julia Mishoe dated November 2, 2015  
**Subject:** Medicare Question
- WV State Archives - Board of Medicine Collection
- Approval of P-Card (purchasing card) expenditures for July, August, and September 2015
- District III & V Meeting, September 17-20, 2015, Providence, RI; Synopsis

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC BOARD MEETING & EXAM**  
**November 5, 2015**  
**Holiday Inn & Suites**  
**400 2<sup>nd</sup> Avenue, South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Jeffrey L. Summers, D.C., Vice Chairman  
Barry A. Stowers, D.C., Investigative Officer  
Holly L. Harvey, D.C., Secretary  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Jeffrey L. Summers  
Barry A. Stowers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Katherine A. Campbell, Assistant Attorney General

**CALL TO ORDER:**

Roger A. Kritzer called the meeting to order at 8:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the August 6, 2015 Board Meeting be approved.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

**OLD BUSINESS:**

***Complaint #2012-141; Stephen D. Herto***

After reviewing Jack McClung's Recommended Decision from hearing held on April 14, 2015, Barry Stowers made motion to adopt the Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommended Order, dated October 7, 2015. Kate will draft Final Order to be mailed to Herto.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

***Complaint #2013-146; Joseph J. Yurigan***

A "Request for Continuance" for the November 2, 2015 hearing was made by Yurigan's attorney, Michael E. Nogay. Jack McClung acknowledged the request and continued the matter until January 15, 2016 and, at that time; effort will be made to reschedule the hearing. In a letter dated October 6, 2015, Nogay stated they would like to try and resolve the matter by agreement, as they feel a minimum ten-year license suspension is not acceptable and would agree to a lesser period of time. Kate will send an email to Nogay informing him the Board must follow precedent and will adhere to the ten-year suspension. Kate will also inquire as to Yurigan's license revocation in Pennsylvania.

***Emil R. Nardone***

After receiving notice that Nardone still has YouTube videos on the internet, Kate will review the Consent Agreement entered on November 6, 2014, to determine compliance.

**CALL TO ORDER EXECUTIVE SESSION:**

Jeff Summers called for Executive Session.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

**CALL TO DISMISS EXECUTIVE SESSION:**

Jerry Walker called to dismiss Executive Session.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

Reports were presented to the Board during Executive Session and Roger Kritzer called to accept Reports presented as follows:

A licensee closed practice and destruction of patient records were questioned. The licensee did not renew the license and it expired on June 30, 2015. Barbara received information that the Department of Health and Human Services Office for Civil Rights has received complaints regarding this matter. Jeff Summers made motion for Barbara to follow-up with this Department to request copies of the complaints in order to determine if the Board should take any type of action. Barbara will also make contact with Hipaa, and will also ask the Office for Civil Rights if they have notified the doctor about the complaints.

- Barry Stowers - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed email sent to Board of Psychology regarding Charleston chiropractor. No action to be taken.

Board reviewed information regarding a non-licensee and social media. Barry Stowers made motion for Barbara to send a letter to the non-licensee outlining the rules and regulations regarding obtaining licensure.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Kate Campbell reviewed with the Board the conflict with Series 2 and Series 3 Rules and recommended, for future reference, the Board do away with Series 2.

The FTC Guidance on Active Supervision of State Boards, and FARB's response, was reviewed by the Board.

The WV Supreme Court Decision Regarding Complaint Procedures; WV Board of Registered Professional Nurses was reviewed by the Board.

The Board reviewed and discussed Nelson's email regarding CE for mandated hours. Barry Stowers spoke to Nelson prior to the Board meeting and determined that Judge Phil Stowers will present the hours on December 5 and 6. The Board approved the dates of December 5 and 6 and requests Judge Phil Stowers, if available, present the mandated hours. The mandated hours will be held in Charleston and Morgantown respectively. Roger Kritzer will respond to Nelson's email.

The Board reviewed and discussed Nelson's email regarding "most recent meeting of mandatory class and 12 hours of CE following". Roger Kritzer will respond to Nelson's email.

The Board reviewed and discussed Nelson's email regarding WV Medicaid MCO Chiropractic Matrix regarding policies of managed care. Roger Kritzer and Jeff Summers will respond to Nelson's email.

The Board reviewed and discussed ART (Active Release Technique) and determined it is not considered a Board certified specialty.

The Board reviewed and discussed a letter received from a licensee, dated October 10, 2015, regarding correspondence from the Board on social media dated June 2, 2015. Roger Kritzer will draft a letter to the licensee stating recent Facebook and website entries appears that he is not cooperating and/or complying with the Board. After drafting, Roger Kritzer will send to Kate for review before mailing.

The Board reviewed and discussed Dr. Julia Mishoe's email regarding her Medicare question and determined that this cannot be answered by the Board.

Jeff Summers will visit the WV State Archives Library for further information from the Board of Medicine Collection.

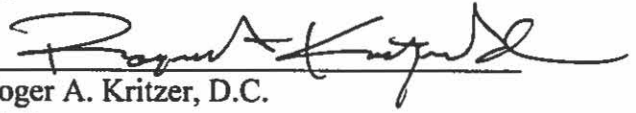
Motion was made by Jeff Summers to approve p-card expenditures for July, August, and September 2015.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

A synopsis was given by Barry Stowers for the District III & V Meeting held in Providence, RI on September 17-20, 2015.

Meeting was adjourned at 1:00 p.m. by Roger Kritzer.

Signed & Dated:

A handwritten signature in black ink, appearing to read "Roger A. Kritzer", written over a horizontal line.

Roger A. Kritzer, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA**

February 4, 2016 - 8:00 AM

Wingate by Wyndham

402 Second Avenue

Charleston, WV 25303

**Agenda Topics:**

**Call to Order**

Approval of Minutes from Board Meeting held on November 5, 2015

**Jurisprudence Exam (11 applicants scheduled)**

**Investigative Officer's Report**

- Complaint #2015-167
- Complaint #2016-168

**Old Business**

- Stephen D. Herto; Complaint #2012-141  
Final Order Entered on November 16, 2015
- Joseph J. Yurigan; Complaint #2013-146 (Yurigan's attorney requesting re-application prohibition reduced to less than 10 years)
- Emil R. Nardone
- Licensee closed practice/destruction of patient records questioned; Update provided by Barbara
- Non-Licensee and Social Media; Update provided by Barbara
- Letter received from Licensee, dated October 10, 2015, regarding June 2, 2015 correspondence (social media) from Board; Update provided by Roger Kritzer
- CE for Mandated Hours; Update provided by Barry Stowers  
Legal Safeguards (social media marketing - - best practices to avoid legal & ethical issues) and Scope of Practice: "How to Stay Out of Trouble"; and Courtroom Circumstances

### **New Business**

- Letter dated December 16, 2015 received from WV Legislature regarding House Bill 2233
- Meeting with Chairman Howell (adding citizen members to Board) scheduled for Thursday, February 11, at 2:00 PM
- Practice Mobility Article received from FCLB's Dr. Schwartzbauer
- Applied Clinical Nutrition; 100 Hour Course through Texas CC; Considered Board Certified Specialty? (Dr. John Bennett)
- DABCI (Diplomate in Diagnosis and Internal Disorders) 300 Hour Course through National University; Considered Board Certified Specialty? (Dr. Caleb Perry)
- Question from Dr. Marie Mason regarding Humana
- Approval of P-Card (purchasing card) expenditures for October, November, and December 2015
- FCLB's 90<sup>th</sup> Annual Educational Congress  
Phoenix, AZ; April 27-May 1, 2016
- FCLB Delegate & Alternate Voting Designation
- NBCE Delegate & Alternate Voting Designation

### **Adjourn**



**MINUTES**  
**WV BOARD OF CHIROPRACTIC BOARD MEETING & EXAM**  
**February 4, 2016**  
**Wingate by Wyndham**  
**402 2<sup>nd</sup> Avenue, South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Jeffrey L. Summers, D.C., Vice Chairman  
Barry A. Stowers, D.C., Investigative Officer  
Holly L. Harvey, D.C., Secretary  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Jeffrey L. Summers  
Barry A. Stowers  
Holly L. Harvey

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Katherine A. Campbell, Assistant Attorney General

**CALL TO ORDER:**

Roger A. Kritzer called the meeting to order at 8:00 a.m.

**JURISPRUDENCE EXAM:**

Jurisprudence Exam was administered to nine applicants and all received a license to practice chiropractic in the State of West Virginia. Two applicants scheduled, but did not appear, were Andrew M. Goldbaugh, and Tyler M. McKinniss. Jeff Summers made motion for Barbara to make contact as to why they didn't appear for exam.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the November 5, 2015 Board Meeting be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

## **OLD BUSINESS:**

### ***Complaint #2012-141; Stephen D. Herto***

Barbara mailed Final Order, entered November 16, 2015, to Herto at his home in Bruceton Mills, as well as the Tygart Valley Regional Jail. Both were mailed certified and returned to Board "unable to forward". Barbara mailed Final Order, via regular mail, to Herto on December 29, 2015. Barbara also mailed Final Order, via certified mail, to Herto at the Huttonsville Correctional Center and it was returned stating "refused". Kate recommended that the Final Order also be mailed to Huttonsville, via regular mail, in a blank envelope. No action taken.

### ***Complaint #2013-146; Joseph J. Yurigan***

Jeff Summers made motion that Yurigan's ten year suspension be lowered to a five year suspension and, within one year of his application to practice, he must complete and pass the SPEC and Ethics & Boundaries Exams. Kate will draft Consent Agreement and Order to reflect these changes and mail to Yurigan's attorney for review. Barry Stowers recused himself from voting.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

### ***Emil R. Nardone***

After reviewing Nardone's Consent Agreement, Kate determined Nardone's compliance. No action taken.

Board discussed closing of licensee's practice and destruction of patient records, and the OCR Health Information Privacy Complaint. The Privacy Rule only applies to covered entities; therefore, as a result of the licensee's non-practicing/non-licensed status, the OCR was not able to initiate a formal investigation. The OCR did notify the doctor of the allegations and provided technical assistance on the requirements of the Privacy Rule. No action taken.

Board discussed non-licensee and social media, with update given by Barbara, and tabled until next Board meeting scheduled for May 19, 2016. No action taken.

Board discussed letter received from Licensee, dated October 10, 2015, regarding June 2, 2015 correspondence (social media) from Board, with update given by Roger Kritzer. Jeff Summers made motion for Dr. Kritzer to re-draft letter and send to Kate for review and approval before mailing.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

An update was provided by Barry Stowers regarding CE for mandated hours; Legal Safeguards (social medial marketing) and Scope of Practice.

## **NEW BUSINESS:**

Board discussed meeting scheduled for February 11, 2016 with Chairman Howell of House Government Organization (adding citizen members to Board).

Board reviewed and discussed a letter received from the Legislature regarding House Bill 2233. Roger Kritzer will review Rules for 4-02 and 4-03 to determine if necessary and will respond to Barbara by Monday, February 8, 2016.

Board reviewed Practice Mobility Article received from FCLB's, Dr. Schwartzbauer.

## **CALL TO ORDER EXECUTIVE SESSION:**

Jeff Summers called for Executive Session.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.
- 

## **CALL TO DISMISS EXECUTIVE SESSION:**

Jeff Summers called to dismiss Executive Session.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

## **INVESTIGATIVE OFFICER'S REPORT:**

Reports were presented to the Board during Executive Session and Roger Kritzer called to accept Reports presented as follows:

### ***Complaint #2015-167***

Holly Harvey made motion for no probable cause.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

### ***Complaint #2016-168***

Tabled for May 19, 2016 Board meeting. Barry Stowers will monitor. No action taken.

Board will review and revise specialty/certification list.

Board reviewed and discussed 100 hour course through Texas Chiropractic College for Applied Clinical Nutrition, submitted by Dr. John Bennett, and determined he may not advertise as a Board certified specialty.

Board reviewed and discussed 300 hour course through National University, submitted by Dr. Caleb Perry, and determined he may advertise as a Board certified specialty.

Board reviewed and discussed Dr. Marie Mason's email concerning Humana, and determined it could not be addressed by the Board.

Motion was made by Jeff Summers to approve p-card expenditures for October, November, and December 2015.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.
- 


***FCLB & NBCE Voting Delegates and Alternate***

Motion was made by Barry Stowers to elect Holly Harvey as the Voting Delegate for the 90<sup>th</sup> Annual FCLB Congress on April 27 - May 1, 2016. Roger Kritzer was elected as the Alternate.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

Meeting was adjourned at 2:00 p.m. by Roger Kritzer.

Signed & Dated:



Roger A. Kritzer, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
March 3, 2016 - 2:30 PM  
West Virginia Board of Chiropractic  
Conference Call  
415 ½ D Street, Suite 6  
South Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Old Business**

- Joseph J. Yurigan; Complaint #2013-146  
Consent Decree and Order

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC**  
**March 3, 2016**  
**Conference Call**  
**415 ½ D Street, Suite 6**  
**South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Jeffrey L. Summers, D.C., Vice Chairman  
Barry A. Stowers, D.C., Investigative Officer  
Holly L. Harvey, D.C., Secretary  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Jeffrey L. Summers  
Recused  
Holly L. Harvey

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Katherine A. Campbell, Assistant Attorney General  
No member from the public was present

**CALL TO ORDER:**

Roger A. Kritzer called the meeting to order at 2:30 p.m.

**OLD BUSINESS:**

***Complaint #2013-146; Joseph J. Yurigan***

Jeff Summers made motion that Yurigan's Consent Agreement & Order reflect that the five year period to request reinstatement shall commence on June 30, 2013, and that Yurigan must reimburse the Board for legal expenses and administrative costs incurred by the Board. Payment must be received in the Board office no later than 12 months from entry of the Consent Agreement & Order. Kate will update the Consent Agreement & Order to reflect changes and mail to Yurigan's attorney for review and signature.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Meeting adjourned at 3:00 p.m.

Signed & Dated:



Roger A. Kritzer, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
May 19, 2016 - 9:00 AM  
Wingate by Wyndham  
402 Second Avenue  
Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

Approval of Minutes from Board Meeting held on February 4, 2016; and March 3, 2016 Conference Call

**Investigative Officer's Report**

- Complaint #2016-168 - - tabled from February 4, 2016 Board Meeting/  
Dr. Stowers to monitor
- Complaint #2016-169
- Telephone call to Board office on March 9, 2016 regarding a Licensee

**Old Business**

- Joseph J. Yurigan; Complaint #2013-146 - - Consent Agreement & Order
- Non-Licensee and Social Media - - tabled from February 4, 2016 Board Meeting
- Letter received from Licensee, dated October 10, 2015, regarding June 2, 2015 correspondence (social media) from Board - - Dr. Kritzer to re-draft letter and send to Kate for review and approval before mailing
- Approved Areas of Specialty Practice & Certification - - at its February 4, 2016 Board Meeting, the Board discussed reviewing and revising its specialty/certification list
- WV Code Chapter 30 Professions & Occupations - - Article §30-1-7a Continuing Education

**New Business**

- Request from Dr. Steve Thaxton for Continuing Education approval
- Questions for the Board - - from Dr. Terry Chambers
- Approval of P-Card (purchasing card) expenditures for January, February, March and April 2016

- FARB Model for Identifying and Addressing Antitrust Issues
- Functional Medicine
- Adopt Record Retention Policy prepared on March 11, 2016
- Adopt Purchasing Card Internal Controls “Policies & Procedures” updated on March 8, 2016
- Adopt Purchasing Card Internal Controls “Travel Policies & Procedures” prepared on March 8, 2016
- Review of FY 2017 Budget Request
- Pay Increase for Barbara
- Synopsis given by Board Members attending the FCLB’s 90<sup>th</sup> Annual Educational Congress in Phoenix

**Adjourn**



**MINUTES**  
**WV BOARD OF CHIROPRACTIC BOARD MEETING & EXAM**  
**May 19, 2016**  
**Wingate by Wyndham**  
**402 2<sup>nd</sup> Avenue, South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Jeffrey L. Summers, D.C., Vice Chairman  
Barry A. Stowers, D.C., Investigative Officer  
Holly L. Harvey, D.C., Secretary  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Jeffrey L. Summers  
Barry A. Stowers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Katherine A. Campbell, Assistant Attorney General

**CALL TO ORDER:**

Roger A. Kritzer called the meeting to order at 9:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the February 4, 2016 Board Meeting and May 3, 2016 Conference Call be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**CALL TO ORDER EXECUTIVE SESSION:**

Holly Harvey called for Executive Session.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

**CALL TO DISMISS EXECUTIVE SESSION:**

Jeff Summers called to dismiss Executive Session.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

## **INVESTIGATIVE OFFICER'S REPORT:**

Reports were presented to the Board during Executive Session and Roger Kritzer called to accept Reports presented as follows:

### ***Complaint #2016-168***

Jeff Summers made motion for Barry Stowers to continue monitoring.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

### ***Complaint #2016-169***

Jeff Summers made motion for No Probable Cause.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Board discussed telephone call to Board office on March 9, 2016 regarding a Licensee and determined no complaint would be filed due to lack of cooperation from caller. Barry Stowers and Barbara tried several attempts to contact the "caller"; however, to no avail. No action/no motion needed.

## **OLD BUSINESS:**

### ***Complaint #2013-146; Joseph J. Yurigan***

Consent Agreement & Order entered in records on March 22, 2016. Yurigan shall reimburse the Board for legal expenses and administrative costs incurred by the Board in the amount of \$2,500 no later than twelve (12) months from entry of Order. Yurigan may apply for reinstatement of his license; however, not before June 30, 2018. Yurigan must also complete and pass the SPEC (Special Purposes Exam for Chiropractic), and must complete and pass all five topic areas of the EBAS (Ethics and Boundaries Assessment Services) examination within one year of application for reinstatement.

Board discussed Non-Licensee and Social Media, tabled from February 4, 2016, and determined no action/no motion needed.

Board discussed letter received from Licensee dated October 10, 2015 regarding the Board's letter dated June 2, 2015. Roger Kritzer will draft letter to be approved by Kate Campbell before mailing. No action/no motion needed.

Jeff Summers made motion for Barry Stowers to continue drafting/updating "Approved Areas of Specialty Practice & Certification".

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Board discussed WV Code Chapter 30 Professions & Occupations - - Article §30-1-7A Continuing Education for mental health conditions common to veterans and family members of veterans. Two hours shall be part of the total hours of continuing education required by each Board and not two additional hours. Barbara will discuss with Linda Lyter, President of the West Virginia Association of Licensing Boards, for possible online continuing education as a group effort from all licensing Boards included in this Article.

**NEW BUSINESS:**

The Board reviewed Dr. Steve Thaxton's request for continuing education approval for a course sponsored by Nutri-West Shenandoah to be held on January 6-8, 2017 in Charleston. Holly Harvey made motion that the seminar entitled "Research Based Chiropractic and Supportive Nutrition", plus one (1) bonus hour "Vaccine Science" be approved.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

The Board reviewed "Questions for the Board" from Dr. Terry Chambers and determined this was a matter for the Massage Therapy Board. No action/no motion needed.

Motion was made by Jeff Summers to approve the P-Card expenditures for January, February, March and April 2016.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

The Board reviewed the FARB Model for Identifying and Addressing Antitrust Issues.

Functional Medicine was discussed and the Board determined it is not a certification the Board recognizes and a licensee may not advertise Functional Medicine.

Motion was made by Jeff Summers to adopt the "Record Retention Policy" prepared on March 11, 2016.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Motion was made by Jeff Summers to adopt the "Purchasing Card Internal Controls Policies & Procedures" updated on March 8, 2016; as well as adopt the "Purchasing Card Internal Controls Travel Policies & Procedures" prepared on March 8, 2016.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

The Board reviewed and discussed the FY 2017 Budget Request. No action/no motion needed.

Motion was made by Jeff Summers to approve a pay increase for Barbara. The pay increase will reflect \$21.9 per hour. The Board will review the Executive Secretary's salary annually and will offer performance evaluations annually.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

A brief synopsis was given by Roger Kritzer, Barry Stowers, and Holly Harvey who attended the FCLB's 90<sup>th</sup> Annual Educational Congress in Phoenix.

Meeting was adjourned at 12:00 noon by Roger Kritzer.

Signed & Dated:



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Roger A. Kritzer, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
August 4, 2016 - 8:00 AM  
Wingate by Wyndham  
402 Second Avenue  
Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Approval of Minutes from Board Meeting held on May 19, 2016**

**Jurisprudence Exam**

- **Six (6) applicants scheduled for licensure**

**Investigative Officer's Report**

- **No complaints received/no updates**

**Old Business**

- **Letter received from Dr. Daniel Boggs (update)**
- **Approved Areas of Specialty Practice & Certification - - at its May 19, 2016 Board Meeting, the Board discussed reviewing and revising its specialty/certification list annually (draft will be presented to the Board for review)**

**New Business**

- **Approval of P-Card (purchasing card) expenditures for May, and June 2016**
- **FY 2017 Approved Budget**
- **Request for CE approval from Dr. Janet Lintala**
- **Request for CE approval from the National Provider Compliance Corporation**
- **Question from Advanced Molecular Diagnostics - State Guidelines Regarding Chiropractors Ordering Genetic Testing**

**Agenda Topics - August 4, 2016 - Continued:**

- **FARB Letter of Support - - Department of Labor's Employment and Training Administration (ETA) - Occupational Licensing Review and Portability Project**
- **Alternative Treatment Plan for Opioids - - Meeting with Attorney General's Office on July 7, 2016 via teleconference with Drs. Jeff Summers and Holly Harvey**
- **PACE Program Specifics from Kelly Webb (update from Barbara)**
- **State Auditor's Required State Purchasing Card Coordinator's Seminar (Barb is registered to attend)  
October 26, 2016 - Days Hotel & Conference Center, Flatwoods**
- **State Auditor's Required Annual Seminar for Chapter 30 Licensing Boards (Barb will attend)  
November 29, 2016 - Marriott Hotel, Charleston**
- **Schedule Fall Meeting**
- **2016 FCLB District Meeting in Nashville, TN  
Arrival Day - September 15, 2016  
Meeting Days - September 16-17, 2016  
Departure Day - September 18, 2016**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC BOARD MEETING & EXAM**  
**August 4, 2016**  
**Wingate by Wyndham**  
**402 2<sup>nd</sup> Avenue, South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Jeffrey L. Summers, D.C., Vice Chairman  
Barry A. Stowers, D.C., Investigative Officer  
Holly L. Harvey, D.C., Secretary  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Jeffrey L. Summers  
Barry A. Stowers  
Holly L. Harvey

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Katherine A. Campbell, Assistant Attorney General

**CALL TO ORDER:**

Roger A. Kritzer called the meeting to order at 8:00 a.m.

**JURISPRUDENCE EXAM:**

Exam was administered to six (6) applicants and all received a license to practice chiropractic in the State of West Virginia.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the May 19, 2016 Board meeting be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**INVESTIGATIVE OFFICER'S REPORT:**

There were no reports to be presented to the Board.

## **OLD BUSINESS:**

Board reviewed and discussed a letter received from Dr. Daniel Boggs dated June 9, 2016 stating compliance on advertising.

A draft of Approved Areas of Specialty Practice & Certification was presented to the Board for review. The draft was prepared by Dr. Barry Stowers and the Board would like to recognize Dr. Stowers for his hard work and dedication on this project. The Board will review and notify Barbara of any changes needed. Barbara will provide the Board with a clean copy at its next scheduled meeting on November 3, 2016.

## **NEW BUSINESS:**

Motion was made by Jeff Summers to approve the P-Card expenditures for May and June 2016.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

The FY 2017 Budget was presented to the Board for review. When the approved Budget is received, Barbara will present to the Board at its next scheduled meeting.

The Board reviewed a continuing education request for approval received from Dr. Janet Lintala. Barbara will contact Dr. Lintala and request that the sponsor(s) mail the request for approval to the Board, to include all necessary documents for approval, and the Board will approve.

The Board reviewed a continuing education request for approval received from the National Provider Compliance Corporation to be held on four separate dates in West Virginia. Motion was made by Barry Stowers for the hours to be approved as outlined. Barbara will notify the NPCC that upon receipt of the application fee, approval will be granted.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

An email was received on July 27, 2016 from John Iaccarino of Advanced Molecular Diagnostics, LLC, regarding chiropractors ordering genetic testing for their patients. He requested state guidelines and regulations. After discussion, it is the opinion of the Board that ordering genetic testing is not addressed specifically in our state statutes by a licensed chiropractor and there is nothing that states we can or can't order genetic testing.



On July 7, 2016, a letter of support was mailed to Dale Atkinson, Executive Director of FARB (Federation of Associations of Regulatory Boards), for the OLRP (Occupational Licensing Review and Portability) Project. FARB is responding to and submitting a proposal for a grant related to the Department of Labor's Employment and Training Administration (ETA). The purpose of the project is to participate and cooperate in relevant fact finding and data gathering in exploration of issues related to the regulatory community, mobility and portability of licensure.

Drs. Holly Harvey and Jeff Summers gave a brief synopsis on their teleconference with Anthony Martin of the Attorney General's office regarding an alternative treatment plan for opioids. The conference call took place on July 7, 2016. The Board followed up with a letter of support, drafted by Holly, expressing the Board's full support for the AG's Best Practice Guidelines.

The Board reviewed the PACE Pre-check specifics and tabled until the next scheduled meeting on November 3, 2016.

Barbara will attend the State Auditor's Required Purchasing Card Coordinator's Seminar scheduled for October 26, 2016 at the Day's Hotel & Conference Center in Flatwoods.

Barbara and Holly will attend the State Auditor's Required Annual Seminar for Chapter 30 Licensing Boards scheduled for November 29, 2016 at the Marriott Hotel in Charleston.

The next Board meeting was scheduled for November 3, 2016.

Drs. Holly Harvey, Barry Stowers, and Roger Kritzer will attend the 2016 FCLB District Meeting in Nashville, TN scheduled for September 15-18, 2016.

Meeting was adjourned at 12:00 noon by Roger Kritzer.

Signed & Dated:



Roger A. Kritzer, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA**

**November 3, 2016 - 9:00 a.m.**

**Wingate by Wyndham  
402 Second Avenue  
Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Welcome new Board Member, Dr. Geoffrey Mohn, to succeed Dr. Barry Stowers**

**Approval of Minutes from Board Meeting held on August 4, 2016**

**Investigative Officer's Report**

- **Complaint #2016-170**

**Old Business**

- **Best Practices for Dispensing Opioids in WV; Letter received from Office of the Attorney General dated September 1, 2016**
- **PACE Program Specifics from Kelly Webb (tabled from August 4, 2016 Board meeting)**

**New Business**

- **Letter received from Chairman Howell (House Gov Org) regarding the Board's website management, development, and maintenance**
- **The Occupational Board Reform Act "Model Legislation" by Lee McGrath, Institute for Justice**
- **Cupping Therapy - Scope of Practice?**
- **Letter received from DHHR, Bureau for Public Health, regarding tobacco use among pregnant women**
- **Letter received from Dr. Byron Folwell, Folwell Chiropractic Clinic**
- **Canine Chiropractic Clinic**
- **Elk River Chiropractic Center (Dr. Roger Kritzer)**
- **CrossFit, Fairmont WV (Dr. Roger Kritzer)**
- **Email received regarding physical therapist/adjusting**
- **Handouts (review and discuss):**
  - **Board Member Handbook**
  - **Executive Director Job Description Handbook**
  - **Board Decisions, Policies, & Position Statements Handbook**
- **Approval of P-Card (purchasing card) expenditures for July, August, September 2016**
- **Brief synopsis from Barry Stowers, Holly Harvey, and Roger Kritzer - attended the 2016 FCLB District Meeting in Nashville, TN**
- **Election of Officers**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC BOARD MEETING & EXAM**  
**November 3, 2016**  
**Wingate by Wyndham**  
**402 2<sup>nd</sup> Avenue, South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Jeffrey L. Summers, D.C., Vice Chairman  
Barry A. Stowers, D.C., Investigative Officer  
Holly L. Harvey, D.C., Secretary  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Jeffrey L. Summers  
Barry A. Stowers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Katherine A. Campbell, Assistant Attorney General  
Geoffrey R. Mohn, D.C., new appointment, effective August 18, 2016, to succeed  
Barry A. Stowers, D.C.

**CALL TO ORDER:**

Roger A. Kritzer called the meeting to order at 9:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the August 4, 2016 Board meeting be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**CALL TO ORDER EXECUTIVE SESSION:**

Jeff Summers called for Executive Session.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

## **CALL TO DISMISS EXECUTIVE SESSION:**

Jerry Walker called to dismiss Executive Session.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

## **INVESTIGATIVE OFFICER'S REPORT:**

Report was presented to the Board during Executive Session and Roger Kritzer called to accept report presented as follows:

### ***Complaint #2016-170***

Jeff Summers made motion for no probable cause.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

## **OLD BUSINESS:**

Board reviewed and discussed letter received from Attorney General regarding "Best Practices for Dispensing Opioids in West Virginia". No motion needed.

PACE Program - Jeff Summers made motion that the Board will not join PACE at this time.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

## **NEW BUSINESS:**

Board reviewed and discussed letter received from Chairman Howell regarding "website management". No motion needed.

Board reviewed and discussed The Occupational Board Reform Act "Model Legislation". No motion needed.

Board discussed "Cupping Therapy" and tabled until the February 2, 2017 meeting.

Board reviewed and discussed letter received from DHHR regarding tobacco use among pregnant women. No action taken.

Board reviewed and discussed letter received from Dr. Byron R. Folwell, dated October 24, 2016, requesting an exemption to W. Va. Code R. §4-1-6.2.g which prohibits offering free or discounted services which exclude or limit certain classifications of patients from receiving free or discounted services. Motion was made by Jerry Walker denying Dr. Folwell's request for an exemption.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Board reviewed and discussed email received from the WV Board of Veterinary Medicine regarding a "Canine Chiropractic Clinic" to be held on October 2, 2016 and operated by two licensed Maryland chiropractors. Roger Kritzer contacted Dr. Jean Thompson and explained to her that she was advertising as a doctor of chiropractic in WV. The event was cancelled and Dr. Thompson stated they would not schedule any further clinics in WV. The Board will stand by its policy that animal chiropractic in WV is prohibited. No motion needed.

Elk River Chiropractic Center discussed by Roger Kritzer. No action taken.

CrossFit in Fairmont, WV discussed by Roger Kritzer. No action taken.

Board reviewed and discussed email received regarding a physical therapist performing adjustments and advising the patient to discontinue chiropractic treatment. Motion was made by Jeff Summers to email the Physical Therapy Board notifying them of the email received.

- Geoffrey Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Barbara presented updated handbooks to the Board as follows: Board Member Handbook; Executive Director Job Description Handbook; and the Board Decisions, Policies, & Position Statements Handbook.

Motion was made by Jeff Summers to approve the P-Card expenditures for July, August, and September 2016.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

A brief synopsis regarding the 2016 FCLB District Meeting in Nashville was given by Roger Kritzer, Barry Stowers, and Holly Harvey.

Election of Officers:

Jeff Summers made motion for Roger Kritzer to continue as Chairman.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Jeff Summers made motion for Geoffrey Mohn to serve as Vice Chairman.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Jeff Summers made motion for Holly Harvey to serve as Investigative Officer.

- Geoffrey Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Holly Harvey made motion for Jeff Summers to serve as Secretary.

- Geoffrey Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Barry Stowers was recognized for his hard work and dedication to the Board having served from 2010-2016 as the Investigative Officer.

Meeting was adjourned at 12:00 noon by Roger Kritzer.

Signed & Dated:



Roger A. Kritzer, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
February 2, 2017 - 8:00 a.m.  
Wingate by Wyndham  
402 Second Avenue  
Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Approval of Minutes from Board Meeting held on November 3, 2016**

**Jurisprudence Exam (three applicants scheduled)**

**Meeting with Charles M. Morris regarding Chiropractic Licensure**

**Investigative Officer's Report**

- **No Complaints to Report**

**Old Business**

- **Cupping Therapy - Scope of Practice? (tabled from 11/3/2016)**
- **Dry Needling**
- **WV Code Chapter 30, Article 1**  
§30-1-7a.(c) - each person issued a license to practice chiropractic by the West Virginia Board of Chiropractic shall complete two hours of continuing education for each reporting period on mental health conditions common to veterans and family members of veterans. The two hours shall be part of the total hours of continuing education required by each board and not two additional hours - effective July 1, 2017.

**New Business**

- **Request for Certified Records**
- **Chiropractor Named in Lawsuit**
- **Johnson Chiropractic Clinic Business Plan**
- **Request from Licensee undergoing radiation treatment for cancer**
- **Senate Bill 619 (review)**
- **Use of Iontopatches with Dexamethasone for Pain (position and/or policy)**

**New Business (Continued):**

- **Massage Therapist Offering “Spinal Alignment”**
- **Request for CE Approval; Dr. Daniel Dock Seminars**
- **Mandated Hours for 2018 Renewal**
- **Approval of P-Card (purchasing card) expenditures for October, November, December 2016**
- **FARB (Advocacy Talking Points)**
- **FCLB’s Educational Conference  
May 3 (arrival) - May 7 (departure), 2017  
Hyatt Regency Orlando**
- **FCLB Delegate and Alternate Voting Designation**
- **NBCE Delegate and Alternate Voting Designation**

**Adjourn**



**MINUTES**  
**WV BOARD OF CHIROPRACTIC BOARD MEETING & EXAM**  
**February 2, 2017**  
**Wingate by Wyndham**  
**402 2<sup>nd</sup> Avenue, South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Geoffrey R. Mohn, Vice Chairman  
Jeffrey L. Summers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Geoffrey R. Mohn  
Jeffrey L. Summers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Katherine A. Campbell, Assistant Attorney General

**CALL TO ORDER:**

Roger A. Kritzer called the meeting to order at 8:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the November 3, 2016 Board meeting be approved.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

**JURISPRUDENCE EXAM:**

Exam was administered to three (3) applicants and all received a license to practice chiropractic in the State of West Virginia.

**MEETING WITH CHARLES M. MORRIS REGARDING CHIROPRACTIC LICENSURE:**

The Board met with Dr. Charles M. Morris and Jeff Summers made motion authorizing Dr. Morris to complete the jurisprudence exam to be held on August 3, 2017.

- Geoffrey Mohn - 2<sup>nd</sup> Motion
- Motion carried.

## **INVESTIGATIVE OFFICER'S REPORT:**

No complaints to report.

## **OLD BUSINESS:**

Jeff Summers made motion for Barbara to update language for Cupping Therapy, listed in the Handbook (Board Decisions, Policies, Position Statements, and State Laws, Pertaining to the Practice of Chiropractic) as follows; Cupping Therapy is within the chiropractic scope of practice in West Virginia; however, a licensee, before practicing cupping therapy, must have the requisite training and competency to practice cupping therapy. Barbara will email to Kate for review before finalizing.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Jeff Summers made motion to table Dry Needling to allow for further study. Barbara will request a power poll from the FCLB regarding Dry Needling and gather all information for the Board's review.

- Geoffrey Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Jeff Summers will contact Nelson Robinson regarding WV Code Chapter 30, Article 1, wherein a licensee must complete two (2) CE hours annually on mental health conditions common to veterans and family members of veterans. The Board will also approve CE hours to be held by the Family Medicine Foundation's annual Family Medicine & Sports Medicine Conference.

## **NEW BUSINESS:**

Request for certified records was discussed and Barbara will mail a copy of records requested.

Chiropractor named in lawsuit was discussed and the Board will monitor.

Board reviewed and discussed the Chiropractic Clinic Business Plan Proposal mailed to the Board from Dr. Bill Johnson. Jeff Summers made motion to contact Dr. Johnson advising him to consult with an attorney. There is nothing in the Board's state code that precludes a business of this type; however, this isn't an issue the Board should entertain.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

Board discussed request from Licensee undergoing a radiation treatment plan for cancer and Jeff Summers made motion to waive the licensee's continuing education requirements for the upcoming renewal due June 30, 2017. Barbara will contact the licensee and request a written statement be made available to the Board for filing.

- Geoffrey Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Senate Bill 619 was reviewed and discussed. The Board will form a committee for this task due on or before July 1, 2020, wherein each agency shall submit a report to the Legislative Rule-Making Review Committee which includes the following information for each rule under the agency's jurisdiction: (1) A description of the rule; (2) A determination of whether the rule should continue without change, be modified or repealed; and (3) The reasoning for said determination.

The Board shall also submit a report to the Joint Committee on Government and Finance and the Legislative Rule-Making Review Committee on or before November 1, 2017, which shall include: (A) A description of the state rules, guidelines, policies and recommendations that are more stringent than federal counterparts and (B) Comments received from the comment period provided for in subdivision (3) of this subsection.

Use of Iontopatches with Dexamethasone for Pain was reviewed and discussed by the Board. The Board does not have a "position" and/or "policy" on this matter. Roger Kritzer will contact Dr. Jason Moore to discuss and explain to him that he needs a prescription for the Dexamethasone, or other prescription, and should keep a copy in the patient's file.

The Board discussed the advertisement, mailed in by Dr. David Bohn, wherein a massage therapist is offering "spinal alignment". Barbara will contact Dr. Bohn to see if he contacted the Massage Therapy Board as she previously requested him to do so.

The Board reviewed and approved continuing education requests by Dr. Daniel Dock for seminars to be held in Charleston in the spring of 2017.

Motion was made by Jeff Summers to mandate six (6) continuing education hours for the 2017-2018 renewal (June 30, 2018).

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Jeff Summers made motion to approve purchasing card transactions for October, November, and December 2016.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

The Board reviewed and discussed the "Advocacy Talking Points" presented by FARB.

The Board discussed attending the FCLB's Educational Conference to be held on May 3-7, 2017 at the Hyatt Regency in Orlando. Motion was made by Jeff Summers to elect Holly Harvey as the Voting Delegate for the FCLB Conference, as well as the voting delegate for the NBCE luncheon to be held on Friday, May 5, 2017 at the Hyatt Regency in Orlando.

- Geoffrey Mohn - 2<sup>nd</sup> Motion
- Motion carried.

Meeting was adjourned at 12:00 noon by Roger Kritzer.

Signed & Dated:



Roger A. Kritzer, D.C.  
Chairman

**WV BOARD OF CHIROPRACTIC  
MEETING AGENDA  
May 18, 2017 - 9:00 a.m.  
Holiday Inn & Suites  
400 Second Avenue  
Charleston, WV 25303**

**Agenda Topics:**

**Call to Order**

**Approval of Minutes from Board Meeting held on February 2, 2017**

**Investigative Officer's Report (no complaints received/no updates)**

**Old Business**

- **Update on Massage Therapist offering Spinal Alignment**
- **Dry Needling Update (tabled from February 2, 2017)**
- **Senate Bill 619 - - relating to executive review of agency rules, guidelines, policies and recommendations (sunset provisions are clauses embedded in legislation that allow a piece of legislation or a regulatory board to expire on a certain date unless the legislature takes affirmative action to renew the legislation or board)**
- **Mandated Hours for 2018 Renewal (subject matter)**

**New Business**

- **Position Statement on Telemedicine by WV Board of Medicine**
- **House Bill 2631 - - relating to time standards for disposition of complaint proceedings**
- **House Bill 2301 - - (Dr. Byron Folwell) relating to direct primary care**
- **Letter received from Dr. Barry Stowers (February 24, 2017) regarding changes made to Board Decisions, Policies and Position Statements Handbook**
- **WV Purchasing Inspection Report for Review (FY2016)**
- **FY 2018 Budget**
- **Discuss purchase of desktop computer for Board office**
- **Approval of P-Card (purchasing card) expenditures for January, February, March, and April 2017**
- **Consideration of Annual Employee Performance Appraisal**
- **Entertain moving office (same building; different suite)**
- **Synopsis of FCLB Annual Conference (Orlando) to include information on Chiropractic Passport Program**

**Adjourn**

**MINUTES**  
**WV BOARD OF CHIROPRACTIC BOARD MEETING**  
**May 18, 2017**  
**Holiday Inn & Suites**  
**400 2<sup>nd</sup> Avenue, South Charleston, WV 25303**

**MEMBERS:**

Roger A. Kritzer, D.C., Chairman  
Geoffrey R. Mohn, Vice Chairman  
Jeffrey L. Summers, D.C., Secretary  
Holly L. Harvey, D.C., Investigative Officer  
H. Jarrett Walker, Public Member

**PRESENT:**

Roger A. Kritzer  
Geoffrey R. Mohn  
Jeffrey L. Summers  
Holly L. Harvey  
Jerry Walker

**ALSO IN ATTENDANCE:**

Barbara L. Johnson, Executive Secretary  
Katherine A. Campbell, Assistant Attorney General

**CALL TO ORDER:**

Roger A. Kritzer called the meeting to order at 9:00 a.m.

**APPROVAL OF MINUTES:**

Jeff Summers moved that the Minutes for the February 2, 2017 Board meeting be approved.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

**INVESTIGATIVE OFFICER'S REPORT:**

No complaints to report.

**OLD BUSINESS:**

The Board reviewed the letter drafted by the Massage Therapy Board on March 17, 2017 regarding Michael Pushkin, LMT, advertising "spinal alignment". Mr. Pushkin responded stating he would comply and remove said advertising.

The Board reviewed Dry Needling, tabled from February 2, 2017, and will support its original opinion that in order to practice Dry Needling in West Virginia, a licensee must be certified in Acupuncture.

The Board reviewed Senate Bill 619 relating to executive review of agency rules, guidelines, policies and recommendations (sunset provisions) and affirmed that Dr. Barry Stowers will serve as the "committee" for the Board and oversee this task.

Jeff Summers made motion to mandate six (6) continuing education hours for next year's renewal (2018) in the following subject matter; Chiropractic Risk Assessment and CVA. The Board will ask Nelson of the West Virginia Chiropractic Society to sponsor the mandated hours and will also allow licensees to complete the hours through [www.chirocredit.com](http://www.chirocredit.com); Course 104, Stroke and Manipulation, 8 online hours.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

#### **NEW BUSINESS:**

Board reviewed Position Statement on Telemedicine by the West Virginia Board of Medicine.

House Bill 2631, relating to time standards for disposition of complaint proceedings, was reviewed by the Board.

Jeff Summers made motion to table House Bill 2301 until the August 3, 2017 Board meeting.

- Holly Harvey - 2<sup>nd</sup> Motion
- Motion carried.

After review of letter received from Dr. Barry Stowers, dated February 24, 2017, Barbara will remove disclaimer language from the Board Decisions, Policies and Position Statements Handbook.

After review, motion was made by Jeff Summers to accept the West Virginia Purchasing Inspection Report (FY2016). The final report was mailed to the Board on February 1, 2017.

- Jerry Walker - 2<sup>nd</sup> Motion
- Motion carried.

Budget Request for FY2018 (draft) was reviewed and accepted by the Board.

Motion was made by Jerry Walker for purchase of a new computer (bundle) for Board office and not to exceed \$10,000.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

Holly Harvey made motion to approve purchasing card transactions for January, February, March, and April 2017.

- Jeff Summers - 2<sup>nd</sup> Motion
- Motion carried.

Jeff Summers made motion to accept the Annual Employee Performance Appraisal for Barbara (completed by Roger Kritzer, Chairman). This will take place in May annually.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

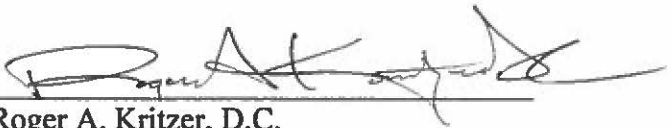
Jerry Walker made motion to approve moving the Board office to 415 ½ D Street, **Suite B**, South Charleston, WV 25303. The Board is currently located at 415 ½ D Street, Suite 6. Only the suite number will change. The Board office has been at this location (Suite 6) since 2001 and is in great need of additional office space.

- Geoff Mohn - 2<sup>nd</sup> Motion
- Motion carried.

A synopsis was given by Holly Harvey on the FCLB Annual Conference held in Orlando on May 3-7, 2017.

Meeting was adjourned at 12:00 noon by Roger Kritzer.

Signed & Dated:



Roger A. Kritzer, D.C.  
Chairman