



State of California
Edmund G. Brown Jr., Governor

**Board of Chiropractic Examiners
TELECONFERENCE MEETING MINUTES
Government Affairs Committee
July 14, 2016**

Teleconference Meeting Locations

901 P Street, Suite 142A
Sacramento, CA 95814
(916) 263-5355
(Board Staff)

Julie Elginer, DrPH
Agoura Hills Library
29901 Ladyface Circle
Agoura Hills, CA 91301

John Roza, D.C.
800 Douglas Blvd
Roseville, CA 95678

Mr. Frank Ruffino
Department of Veterans Affairs
700 E. Naples Court
Chula Vista, CA 91911

Committee Members Present

Julie Elginer, DrPH, Chair
John Roza, D.C.
Frank Ruffino

Staff Present

Robert Puleo, Executive Officer
Dixie Van Allen, Licensing Manager
Marcus McCarther, Policy Analyst

Call to Order

Dr. Elginer called the meeting to order at 10:02 a.m.

Roll Call

Dr. Roza called the roll. All Board members were present at the locations listed on the Agenda.

Approval of Minutes

MOTION: DR. ELGINER MOVED TO APPROVE THE MINUTES OF THE JUNE 9, 2016 MEETING.

SECOND: MR. RUFFINO SECONDED THE MOTION

VOTE: (3-0) (DR. ROZA – AYE, MR. RUFFINO – AYE, DR. ELGINER - AYE)

MOTION CARRIED (3 – 0)

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Board of Chiropractic Examiners
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Update and Discussion on the BCE Strategic Plan; Possible Recommendation to Full Board

Dr. Elginer asked if there was a list of stakeholders that completed the survey for the strategic plan. She explained that having a breakdown of stakeholders that participated would be helpful.

Mr. Puleo responded that he would work with DCA's SOLID Unit to get a breakdown of the respondents for the survey.

Mr. Puleo reminded the Committee that the Board is concurrently undergoing the Sunset Review process with the Legislature. This will allow the Board to conduct a comprehensive assessment and address issues that come up during either process simultaneously.

Dr. Elginer suggested the Committee schedule a meeting to review the draft Strategic Plan prior to Board review in October.

Mr. Puleo shared that the environmental scan completed by SOLID would be available in the meeting materials of the Strategic Planning session on July 28.

Dr. Elginer asked Mr. Puleo if there would be members of the public participating in the meeting.

Mr. Puleo responded that he had not received any information about public participation. However, he explained that he would reach out to the chiropractic colleges and other stakeholders for their participation.

Review and Possible Action on the BCE Administrative Procedures Manual; Possible Recommendation to Full Board

Dr. Elginer reminded the Committee that at the June 9, 2016 meeting, they decided to remove items from the 2014-17 Strategic Plan and place them into the BCE Board Member Administrative Procedures Manual.

Dr. Elginer referred to page 28 and suggested Board, Executive Officer, and Chair be capitalized throughout the document.

Dr. Elginer shared that during the presentation to the full Board, she would recommend that the new on-boarding meeting for Board Members be mandatory and takes place within the first six-months of service.

Mr. Puleo shared that finalization of the Administrative Procedures Manual should take place at a later date. He explained that the Licensing and Continuing Education Committee would review the 2014-2017 Strategic Plan and may vote to move items in the Administrative Procedures Manual.

Update and Possible Action Regarding Legislation; Possible Recommendation to Full Board

Mr. McCarther provided the Committee with an update on legislation the Committee had taken a position on.

AB 2182 (Mullin) School athletics: neurocognitive testing

Mr. Puleo provided the Committee with a summary of AB 2182.

Dr. Roza asked Mr. Puleo if this bill is something the Committee should support.

Mr. Puleo responded that AB 2182 is a good bill; however; he was unsure if the bill was something that was appropriate to support. He explained that the bill amended the state Education Code and not the Business and Professions Code, creates an appropriation for the Department of Education, and has nothing to do with the oversight of the chiropractic profession. Mr. Puleo shared that the bill was moving through the Legislature without opposition.

Dr. Elginer explained that the Board is responsible for the licensure, education and regulation of the profession. She stated that AB 2182 is outside of the scope of the Board's purview and only addresses provisions in the Education Code not the Business and Professions Code.

Dr. Elginer referred to page 10, which states that the test may be administered by those who have been trained to administer these neurocognitive tests. She explained that the explanation of who may provide services is vague and does not refer specifically to chiropractors.

Dr. Roza stated that school nurses currently administer these tests. He shared that this bill is a good thing for public safety. He asked if it mattered that the bill doesn't specifically refer to chiropractors or that the bill language modifies the Education and not the Business and Professions code.

Dr. Elginer explained her belief that the proper framework from which to judge this bill is by determining what actions the Board has jurisdiction over. She stated that without this criterion, the Committee and Board would be taking positions on many bills that just do not involve chiropractic. Dr. Elginer suggested that if anyone would like to support the bill independently, he or she should do it. Additionally, she explained, the Board should limit itself to issues that the Board has authority to regulate.

Dr. Roza stated that stakeholders may find it strange that the BCE would take a neutral position on a bill that seems positive to consumer safety.

Mr. Puleo explained that that no other health care boards have taken a position on this bill and it is out of the purview of the BCE. He also explained, there could be residual issues that come with supporting a bill that requires a new substantial appropriation should it fail to live up to

expectations. Mr. Puleo shared that the BCE would not be involved in the implementation of the bill. He explained that there is always the concern that the bill could become a huge waste of public money and that the BCE cannot responsibly support every bill that is positive toward consumer protection.

Dr. Elginer stated that it would be more appropriate for the associations to take a support position on this bill.

Mr. Ruffino stated his support for the bill but agreed that it is not within the purview of the Board to take a support position on a bill that impacts individuals the Board does not regulate.

Mr. Puleo recommended a watch position on the bill.

Mr. Puleo reminded the Committee that the Board may choose to take whatever position it chooses on the bill. He shared that the Committee's decision is only a recommendation.

The Board decided to watch the bill.

Discussion of Dates for Future Committee Meetings

Dr. Elginer requested a meeting date to review the draft Strategic Plan prior to the October Board meeting.

Mr. Ruffino suggested the next Committee meeting take place on September 22, 2016.

Public Comment For Items Not On The Agenda

Mr. Forsythe shared that the California Chiropractic Association was still attempting to find an author/vehicle for AB 1992. He explained that it would come up next year in the Senate.

Future Agenda Items

There were no future agenda items discussed.

Adjournment

Dr. Elginer adjourned the meeting at 10:47 a.m.