

NOTICE OF TELECONFERENCE
LICENSING & CONTINUING EDUCATION COMMITTEE MEETING

September 25th, 2018

11:30 a.m. – 2:00 p.m. or until completion of business

One or more Committee Members will participate in this meeting at the teleconference sites listed below. Each teleconference location is accessible to the public and the public will be given an opportunity to address the Licensing, Continuing Education and Public Relations Committee at each teleconference location. The public teleconference sites for this meeting are as follows:

Teleconference Meeting Locations:

901 P Street, Suite 142A
Sacramento, CA 95814
(Board Staff)

Dionne McClain, D.C., Chair
McClain Sports & Wellness, Inc.
6360 Wilshire Blvd., #410
Los Angeles, CA 90048
(323) 653-1014

Heather Dehn, D.C.
Dehn Chiropractic
4616 El Camino Ave., #B
Sacramento, CA 95821
(916) 488-0202

AGENDA

- 1. Call to Order & Establishment of a Quorum**
- 2. Approval of June 1, 2018 Committee Meeting Minutes**
- 3. Review, Discussion, and Possible Action on Pending CE Provider applications; Possible Recommendation to the Full Board**
- 4. Review, Discussion, and Possible Action on Proposed Definitions to Subject Area - Public Health**
- 5. Review, Discussion and Possible Action on List of Chiropractic Adjustive Techniques Provided by California Chiropractic Colleges**
- 6. Review, Discussion and Possible Action on Proposed CPR Regulatory Language**
- 7. Review, Discussion, and Possible Action on Revisions to Sections 360-366 of Title 16 of the California Code of Regulations Regarding Continuing Education**
- 8. Public Comment on Items Not on the Agenda**

Note: The Committee may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a).] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.

9. Future Agenda Items

Note: The Committee may not discuss or take action on any matter raised during this future agenda items section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125.]

10. Adjournment

Meetings of the Board of Chiropractic Examiners' Committee are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Board's Committee may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at www.chiro.ca.gov.

The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at (916) 263-5355 or e-mail chiroinfo@dca.ca.gov or send a written request to the Board of Chiropractic Examiners, 901 P Street, Suite 142A, Sacramento, CA 95814. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.



**Board of Chiropractic Examiners
TELECONFERENCE MEETING MINUTES
Licensing, Continuing Education & Public Relations Committee
June 1, 2018
901 P Street, Suite 142A
Sacramento, CA 95814**

Teleconference Meeting Locations:

Board of Chiropractic Examiners 901 P Street, Ste 142A Sacramento, CA 95814 (916) 263-5355	Heather Dehn, DC Dehn Chiropractic 4616 El Camino Ave. #B Sacramento, CA 95821 (916) 488-0242	Dionne McClain, DC McClain Sports & Wellness, Inc. 6360 Wilshire Blvd., Ste 410 Los Angeles, CA 90048 (323) 653-1014
---	---	--

Committee Members Present

Dionne McClain, D.C., Chair
Heather Dehn, D.C.

Staff Present

Robert Puleo, Executive Officer
Marcus McCarther, Assistant Executive Officer

Call to Order

Dr. Dehn called the meeting to order at 1:05 p.m.

Roll Call

Dr. McClain called roll. All Board members were present at the locations specified on the Agenda.

Approval of Minutes

**MOTION: DR. DEHN MOVED TO APPROVE THE MINUTES OF THE OCTOBER 26, 2017 LICENSING, CONTINUING EDUCATION & PUBLIC RELATIONS COMMITTEE MEETING
SECOND: DR. MCCLAIN SECONDED THE MOTION
VOTE: 2-0 (DR. DEHN- AYE, DR. MCCLAIN - AYE)
MOTION CARRIED**

Review and Discussion on Strategic Plan Goal 1

Mr. Marcus McCarther, Assistant Executive Officer, briefed the committee on the status of the

action items under this goal.

Dr. McClain recommended updating the action items with actual or proposed completion dates.

Dr. Dehn requested staff to obtain a copy of the CCAT for review to assist with revising the curriculum regulations.

Dr. McClain also suggested adding a status of “in progress” to items that are being actively worked on, but do not have estimated dates for completion.

Review and Discussion on Pending CE Provider Applications; Possible Recommendation to the Full Board

Mr. McCarther referred the committee to Cal. Code of Reg. Section 362(c)(1) which specifies the criteria for approving/denying provider applications.

Dr. McClain inquired whether the Board could require the Provider’s name, which are sometimes listed as acronyms, to be spelled out.

Robert Puleo, Executive Officer, explained that this would exceed the requirements specified in current regulation and cannot be required.

Dr. McClain urged the Committee and staff to set stricter criteria for providers in the CE regulation revisions.

MOTION: DR. DEHN MOVED TO HAVE THE LICENSING COMMITTEE MAKE A RECOMMENDATION TO THE FULL BOARD TO APPROVE THE PENDING CE PROVIDER APPLICATIONS.

SECOND: DR. MCCLAIN SECONDED THE MOTION

VOTE: 2-0 (DR. DEHN– AYE, DR. MCCLAIN – AYE)

MOTION CARRIED

Review and Discussion on Possible Revisions to Sections 360-366 of Title 16 of the California Code of Regulations Regarding Continuing Education; Possible Recommendation to Full Board

Mr. McCarther introduced recommendations from staff regarding qualifying subject areas and mandatory hours.

Dr. Dehn objected to the subject area titled, “Physical Medicine Modalities and Therapeutic Procedures”, because it is a very vague and broad topic. She suggested changing the title to “Physiotherapy”.

Laurie Isenberg, CE Director at Life Chiropractic College West, believes that removing “therapeutic procedures” would prohibit laser therapy.

The Committee decided to discuss the verbiage for this particular subject area at the full Board meeting.

Ms. Isenberg inquired about whether philosophy and mindfulness will be eliminated from the subject areas for CE.

The Committee responded that the purpose of CE is to ensure minimum competency and these topics aren't necessary for chiropractors to practice safely.

Dr. Dehn inquired about whether the Board should recognize adjustive/manipulation techniques that are not widely recognized and may be outside of the core curriculum at any US chiropractic colleges (i.e. electives, clubs, etc.)

Mr. Puleo responded that staff add this to agenda for discussion at the full Board meeting.

Dr. McClain suggested that Basic Sciences be added back into the subject areas as they are part of the core curriculum in chiropractic education. She further clarified that the nine specific types of basic science courses in the course curriculum should be listed to clearly define the scope of this subject area.

Ms. Isenberg clarified that the science courses must be post-graduate level.

Mr. McCarther offered to work with Ms. Isenberg in defining this category further.

Dr. McClain inquired about renaming the Communicable Disease subject area to Public Health.

Dr. McClain recommended deleting the Special Population Care subject area.

Dr. Dehn suggested separating the subject area of Billing and Coding from Recordkeeping.

Mr. Puleo recommended renaming this subject area to "Accurate and Effective Recordkeeping".

Dr. McClain inquired about whether CPR would be included as a subject area.

Mr. Puleo confirmed that CPR will be included in the regulation as a subject area but it will also be required as a condition of renewal. Staff will work on incorporating this requirement into the proposed CE regulations.

Dr. McClain inquired about including Pharmacology under the Basic Science subject area.

Dr. Dehn opined that she believes pharmacology is important but should be left as CE taken under another California healing arts Board rather than by providers approved by the Board. This will be presented to the full Board for consideration.

Ms. Isenberg inquired about numerous topics and whether they might be approved under the proposed regulations.

The committee responded that the subject areas and topics considered acceptable for each subject area will be discussed by the full Board.

Ms. Isenberg expressed concern that the number of required categories in this proposal is going to confuse providers and complicate their ability to adjust their courses to meet these requirements.

MOTION: DR. DEHN MOVED TO ACCEPT STAFF RECOMMENDATIONS TO THE CE SUBJECT AREAS AND MANDATORY HOURS WITH THE CHANGES AGREED UPON AND PRESENT THEM TO THE FULL BOARD FOR CONSIDERATION.
SECOND: DR. MCCLAIN SECONDED THE MOTION
VOTE: 2-0 (DR. DEHN- AYE, DR. MCCLAIN – AYE)
MOTION CARRIED

Review and Discussion on Possible Revisions to Sections 330-331.15 of Title 16 of the California Code of Regulations Regarding Curriculum; Possible Recommendation to Full Board

Mr. Puleo explained that the Board has held several meetings with the California Chiropractic colleges to review and identify problematic areas in the curriculum regulations. The schools have submitted their findings and the Board is looking into options to move forward with this regulatory package while continuing to work on competing regulatory packages.

Dr. McClain expressed that the Board should keep the momentum going on this regulatory package.

Mr. Puleo explained the regulatory process and the portions that would require work by Board staff vs. work that can be completed by the schools.

Public Comment

No public comment.

Future Agenda Items

None

Adjournment

Dr. Dehn adjourned the meeting at 2:37 p.m.



State of California
Edmund G. Brown Jr., Governor

**Agenda Item 3
September 25, 2018**

**Review and Discussion on Pending CE Provider Applications; Possible
Recommendation to the Full Board**

Purpose of the item

The Committee will review the enclosed CE Provider Applications for compliance with Cal. Code of Regulations Section 362.

Action(s) requested

A motion is needed to recommend ratification of all CE Provider Applications which comply with the provisions of Cal Code of Regulations Section 362, at the November 8th, 2018 Board Meeting.

Background

At the February 22nd, 2018 Board Meeting, the CE Provider applications were not ratified due to lack of a quorum in the full Board's vote. As a result, the task of reviewing the CE Provider applications for compliance with the CE Provider requirements in regulation, has been assigned to this Committee.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

CE Provider Applications for:

1. Naturopathic CE
2. Robert Wesley Adams, DC DABCN
3. Lotused, INC
4. Tony Mork, MD



2018 JUL 18 PM 1:20

CONTINUING EDUCATION PROVIDER APPLICATION

ALL questions on this application must be answered. **New CE Provider Applications** - Submit a complete application package including one original application with the application fee of \$75.00. **CE Provider Biennial Renewal Reapplication** - Submit a complete application package including one original application with the application fee of \$50.00. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. The Board will not process incomplete applications nor applications that do not include the correct application fee. Provider approval shall expire two years following the approval date.

FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL

Please check the appropriate box:

New CE Provider Application - \$75 **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name: Naturopathic CE

Street Address PO Box 480

City Lockport State NY Zip Code 14095

CE Oversight Contact Person: <u>Timothy Miller,</u> <u>ND, LAc, MAc, RA</u>	Telephone Numbers: Residence: <u>(716) 946-2371</u> Business: <u>(716) 514-9312</u>	Email Address <u>tim@naturopathicce.com</u>
---	---	--

Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion)
Timothy Miller ND, MAc, LAc, RA

Provider Status

<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Health Facility	<input type="checkbox"/> University/College
<input type="checkbox"/> Partnership	<input type="checkbox"/> Professional Association	<input type="checkbox"/> Government Agency	

Office Use Only	
Receipt No. _____	Date cashiered <u>JUL 18 2018</u> <u>\$75</u>

(Rev. 02/10)

T (916) 263-5355	Board of Chiropractic Examiners
F (916) 327-0039	901 P Street, Suite 142A
TT/TDD (800) 735-2929	Sacramento, California 95814
Consumer Complaint Hotline	www.chiro.ca.gov
(866) 543-1311	

000387130



BOARD OF CHIROPRACTIC EXAMINERS



State of California
Edmund G. Brown Jr., Governor

2018 JUL 30 PM 4:39

CONTINUING EDUCATION PROVIDER APPLICATION

ALL questions on this application must be answered. **New CE Provider Applications** - Submit a complete application package including one original application with the application fee of \$75.00. **CE Provider Biennial Renewal Reapplication** - Submit a complete application package including one original application with the application fee of \$50.00. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. The Board will not process incomplete applications nor applications that do not include the correct application fee. Provider approval shall expire two years following the approval date.

FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL

Please check the appropriate box:

New CE Provider Application - \$75 **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name: Robert Wesley Adams, DC DABCN

Street Address 101 Andrieux Street		
City Sonoma	State CA	Zip Code 95476
CE Oversight Contact Person: Jill Sullivan	Telephone Numbers: Residence: (707) 935-3667 Business: (707) 996-4535	Email Address Robert@theneurotechnologies.com

Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion)
Robert Wesley Adams

Provider Status

<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Corporation	<input type="checkbox"/> Health Facility	<input type="checkbox"/> University/College
<input type="checkbox"/> Partnership	<input type="checkbox"/> Professional Association	<input type="checkbox"/> Government Agency	

Office Use Only	
Receipt No. _____	Date cashiered <u>AUG 02 2018</u> \$75

(Rev. 02/10)

T (916) 267-5355	Board of Chiropractic Examiners
F (916) 327-9939	491 P Street, Suite 142A
TT/TDD (800) 735-2929	Sacramento, California 95814
Consumer Complaint Hotline	www.chiro.ca.gov
(866) 543-1311	

000387859



2010 AUG -7 PM 3:16

CONTINUING EDUCATION PROVIDER APPLICATION

ALL questions on this application must be answered. **New CE Provider Applications** - Submit a complete application package including one original application with the application fee of \$75.00. **CE Provider Biennial Renewal Reapplication** - Submit a complete application package including one original application with the application fee of \$50.00. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. The Board will not process incomplete applications nor applications that do not include the correct application fee. Provider approval shall expire two years following the approval date.

FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL

Please check the appropriate box:

New CE Provider Application - \$75 **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name: **LOTUSED, INC**

Street Address 1620 SOUTH OCEAN BLVD #10 - A		
City POMPANO BEACH	State FL	Zip Code 33062
CE Oversight Contact Person: EDEN GOLDMAN, DC	Telephone Numbers: Residence: (305) 336 - 3129 Business: ()	Email Address EGOLDMAN@LOTUSED.COM

Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion)
EDEN GOLDMAN, DC (CA LICENSE # 31532)

Provider Status

<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Health Facility	<input type="checkbox"/> University/College
<input type="checkbox"/> Partnership	<input type="checkbox"/> Professional Association	<input type="checkbox"/> Government Agency	

Office Use Only	
Receipt No. _____	Date cashiered AUG 07 2010 \$75

(Rev. 02/10)

T (916) 263-5355 Board of Chiropractic Examiners
 F (916) 327-0039 901 P Street, Suite 142A
 TT/TDD (800) 735-2929 Sacramento, California 95814
 Consumer Complaint Hotline www.chiro.ca.gov
 (866) 543-1311

000388297



CONTINUING EDUCATION PROVIDER APPLICATION

ALL questions on this application must be answered. **New CE Provider Applications** - Submit a complete application package including one original application with the application fee of \$75.00. **CE Provider Biennial Renewal Reapplication** - Submit a complete application package including one original application with the application fee of \$50.00. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. The Board will not process incomplete applications nor applications that do not include the correct application fee. Provider approval shall expire two years following the approval date.

FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL

Please check the appropriate box:

New CE Provider Application - \$75 **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name: Tony Mork, MD

Street Address 1300 Bristol Street No Ste 124		
City Newport Beach	State Ca	Zip Code 92660
CE Oversight Contact Person: Tony Mork	Telephone Numbers: Residence: (850) 830-1331 Business: (949) 640-6675	Email Address drtmork@gmail.com

Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion) Dr. Tony Mork

Provider Status

<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Corporation	<input type="checkbox"/> Health Facility	<input type="checkbox"/> University/College
<input type="checkbox"/> Partnership	<input type="checkbox"/> Professional Association	<input type="checkbox"/> Government Agency	

Office Use Only	
Receipt No. _____	Date cashiered <u>AUG 15 2018</u> \$75

(Rev. 02/10)

000388562



State of California
Edmund G. Brown Jr., Governor

**Agenda Item 4
September 25, 2018**

**Review, Discussion, and Possible Action on Proposed Definitions to Subject Area
– Public Health**

Purpose of the item

The Committee will review and discuss the proposed definition to Continuing Education subject area – Public Health.

Action(s) requested

Background

Following the full Board Meeting on June 5th, 2018, the Committee will continue to revise the proposed Continue Education subject areas. A discussion resulted to further define the term 'public health' to ensure consistency in definitions and ease of interpretation for Continuing Education Providers.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Proposed Definition for Public Health

Proposed Definition for Public Health:

Current issues in Public Health; including but not limited to; various topics from foundations of community health to the health of the nation. Can also include basic tools of epidemiology, management of infectious diseases, programs for screening and prevention of infectious and chronic diseases. Access to health-care, affordable health care, workplace safety, environmental health and safety, substance (legal and illegal) abuse and the pharmacological and toxicological implications thereof. Prevention of significant causes of mortality and morbidity.

Definitions of Public Health:

Life Chiropractic College West

PATH-221: Public Health I

Aspects of community health, organization, and function including principles of disease control and prevention will be covered in this course.

CPP-433: Public Health II

This course is designed to make the student aware of the role they will play in community health care. Professional responsibilities to the community in and outside the office or practice mode are also stressed. Major current health and social issues confronting chiropractic will be discussed. The student will be encouraged to develop goals of appropriate diagnosis and referral. The role of the chiropractor as an educator in the area of public health will be developed and stressed.

Palmer College of Chiropractic West

PATH62425 Public Health

This course addresses the health issues facing today's communities, from the foundations of community health to the health of the nation, health-care delivery and environmental health and safety.

FOUN62222 Public Health

Public Health basics that shape the national and international standards of effective public health. Topics include the basic tools of epidemiology, management of infectious diseases, programs for screening and prevention of infectious and chronic diseases. Access to health-care, affordable health care, workplace safety, substance (legal and illegal) abuse and the pharmacological and toxicological implications of these attempts at controls are also covered.

MIPA63232 Public Health I

Epidemiology and infectious disease management, wellness principles, including screening and prevention of chronic disease comprising strategies for implementation in practice.

MIPA71312 Public Health II

This course deals with the basic principles of environmental health, substance abuse (including alcohol and smoking), and pharmacology and toxicology, including toxic effects and interactions.

Southern California University of Health Sciences

CPM0409 – Public Health

This course will introduce students to the field of public and community health. Students will learn about the methods used to determine the health care needs of a community and how these can be addressed by the combined effort of various health care workers and public and private entities. There will be a focus on major current public health issues and the prevention of significant causes of mortality and morbidity.

CDC Foundation: <https://www.cdcfoundation.org/what-public-health>

Public health is the science of protecting and improving the health of people and their communities. This work is achieved by promoting healthy lifestyles, researching disease and injury prevention, and detecting, preventing and responding to infectious diseases.

National Institute of Health: <https://www.nih.gov/about-nih/what-we-do/mission-goals>

NIH provides leadership and direction to programs designed to improve the health of the Nation by conducting and supporting research:

- in the causes, diagnosis, prevention, and cure of human diseases;
- in the processes of human growth and development;
- in the biological effects of environmental contaminants;
- in the understanding of mental, addictive and physical disorders;

California Department of Public Health: <https://www.cdph.ca.gov/Pages/About.aspx>

The essential functions of the Department are critical to the health and wellbeing of people and communities. CDPH's fundamental responsibilities are comprehensive in scope and include infectious disease control and prevention, food safety, environmental health, laboratory services, patient safety, emergency preparedness, chronic disease prevention and health promotion, family health, health equity and vital records and statistics.



State of California
Edmund G. Brown Jr., Governor

**Agenda Item 5
September 25, 2018**

Review, Discussion, and Possible Action on List of Chiropractic Adjustive Techniques Provided by California Chiropractic Colleges

Purpose of the item

The Committee will review and discuss the enclosed list of chiropractic adjustive techniques, as provided by the California chiropractic colleges.

Action(s) requested

Background

Following the full Board Meeting on August 8th, 2018, the Committee was tasked with identifying a list of chiropractic adjustive techniques currently offered at the three Board approved California chiropractic colleges.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Chiropractic Techniques Provided by California Chiropractic Colleges

Chiropractic Techniques Provided by California Chiropractic Colleges

Palmer College of Chiropractic West

Curriculum based:

Palmer Package (Upper Cervical Specific, Gonstead, Diversified, Extremities, and Thompson)
Diversified
Gonstead
SOT
Thompson
Cox
Activator
Extremity joint maneuvers

Student Led Clubs:

Applied Kinesiology
Motion Palpation
Chiropractic Biophysics
Gonstead
SOT
Extremities

Southern California University of Health Sciences

The main adjustive or manipulative techniques taught in the program are:

Diversified
Flexion distraction (branded technique would be called Cox)
Activator technique (generically named would be instrument assisted joint manipulation)

Selective/Elective courses are variably offered in:

Diversified
Cox
Gonstead
Animal chiropractic (not currently offered, but hoped to be in the future when we can align with a chiropractor and veterinarian – we are working on it)
Pediatric adjusting
SOT (Sacral Occipital Technique)
Toggle Recoil

Faculty advised clubs:

Activator
Applied Kinesiology
Gonstead
SOT (Sacral Occipital Technique)
Upper Cervical
As well as a variety of clubs that would incorporate diversified as part of the approach (rehab2performance, etc.)

Life Chiropractic College West

Core Techniques (All students will experience)

Gonstead

Diversified

Toggle Recoil

Drop Table (modified Thompson)

Extremities

Chiropractic Bio-Physics (CBP)

Pediatric and Pregnancy modifications of all above mentioned techniques

Elective Techniques (Students will elect to take based on personal interest)

Activator

Sacro Occipital Technique (SOT)

Directional Non-Force Technique (DNFT)

Network Spinal Analysis

Knee Chest Upper Cervical

Blair Upper Cervical

NUCCA

EPIC (Upper Cervical)



State of California
Edmund G. Brown Jr., Governor

**Agenda Item 6
September 25, 2018**

Review, Discussion, and Possible Action on Proposed CPR Regulatory Language

Purpose of the item

The Committee will review and discuss the potential changes to the current CPR regulations for license renewal.

Action(s) requested

Background

In an effort to update regulation to ensure contemporary standards for licensure, the Committee will review proposed language changes to the CPR regulation.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Proposed CPR Regulatory Language

§371.1. Cardiopulmonary Resuscitation/Basic Life Support Training (Proposed Section)

As a condition of license renewal, all licensees are required to maintain current certification in cardiopulmonary resuscitation (CPR) and basic life support (BLS), provided by the American Red Cross (ARC), American Heart Association (AHA), equivalent organization, or an instructor certified by the above organizations.

The course must be at least four hours of instruction, provided by a ARC, AHA or equivalent certified instructor and the course must include a live, in-person skills practice session, a skills test and a competency examination consistent with testing methods of ARC, AHA or equivalent. Continuing Education credit will not be granted for an online CPR/BLS course.

A licensee may earn 4 hours of Continuing Education credit for completion of the CPR/BLS course, within the year the certification is achieved.

Note: Authority cited: Sections 1000-4(b), Business and Professions Code (Chiropractic Initiative Act of California, Stats. 1923, p. 1xxxviii). Reference: Sections 1000-4(e), Business and Professions Code (Chiropractic Initiative Act of California, Stats. 1923, p. 1xxxviii).

Online courses will not be accepted for the BLS requirement.



State of California
Edmund G. Brown Jr., Governor

**Agenda Item 7
September 25, 2018**

**Review and Discussion on Possible Revisions to Sections 360-366 of Title 16 of
the California Code of Regulations Regarding Continuing Education**

Purpose of the item

The Committee will review and discuss the enclosed Policy Issues related to Continuing Education (CE) requirements.

Action(s) requested

Background

This Committee and staff have identified numerous areas of concern within existing CE regulations. Before drafting the actual regulatory language, staff researched other state's CE regulations and identified areas which may resolve some of the current problematic regulations.

Following the full Board Meeting on June 5th, 2018, several items were highlighted for future discussion within the CE Committee.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Major Policy Issues for Consideration by the Licensing & Continuing Education Committee

Proposed Amendments to BCE's Continuing Education Regulations

Major Policy Issues for Consideration by the Licensing & Continuing Education Committee.

Qualifying Subject Areas

Staff strongly recommends refining the subject areas for which the Board will grant CE Credit. The Board should consider eliminating subjects which are vague or overly comprehensive, such as: Philosophy of Chiropractic; Principles of Practice; Wellness; etc. Providers regularly submit applications for courses that use these titles to describe topics that aren't focused in any substantive way on knowledge and competencies related to patient care.

Narrowing the list to specific, well-defined topics will clarify the law and streamline the course review process by establishing parameters for determining whether a course meets the requirements for approval. More importantly, these topics will ensure that training required by the Board is consistent with our Consumer Protection Mandate.

Following are suggestions for subjects directly related to core competencies and patient care.

1. Assessment and diagnostic procedures to include physical examination, orthopedic, neurological, and cardiovascular examination.
2. Radiology including diagnostic imaging and interpretation.
3. Interpretation of blood and urinalysis test results.
4. Evidence-based peer reviewed interventions.
5. Chiropractic adjustive techniques or chiropractic manipulation techniques as taught in Council of Chiropractic Education (CCE) accredited colleges or specialty boards accredited by American Board of Chiropractic Specialties. For any Provider who wishes to teach chiropractic adjustive techniques not taught in CCE accredited schools, the burden of proof would fall on the CE Provider to determine if the technique would be accepted by the colleges.
6. Physical medicine modalities and therapeutic procedures.
7. Current Issues in Public Health.
8. Nutrition.
9. Diverse/cross-cultural sensitivity as it relates to patient care.
10. Proper and ethical billing and coding, including accurate and effective record keeping. Documentation of evaluation, treatment and progress of a patient; including electronic and paper SOAP notes. This is not to include practice building or patient recruitment/retention or business techniques or principles that teach concepts to increase patient visits or patient fees per case or courses primarily focused on billing and coding.
11. Ethics and law: including but not limited to: truth in advertising; professional boundaries; mandatory reporting requirements for child abuse/neglect, elder abuse/neglect, and cohabitant abuse/neglect; and review of the specific laws,

- rules and regulations related to the practice of chiropractic in the State of California.
12. Sexual harassment and conduct prevention between doctors and patients, including but not limited to sexual boundaries, misconduct or harassment between a licensee, patient, and/or staff.
 13. Cardiopulmonary resuscitation, basic life support and use of an automated external defibrillator (*Note: This will probably be addressed elsewhere in the CE Regs).
 14. Instruction of basic sciences of anatomy, neurology, physiology, kinesiology and medical sciences as related to clinical practice.

Mandatory Hours

To ensure all licensees receive ongoing training in areas critical to quality of care and patient safety, the Board should identify those subject areas that are essential to the safe practice of chiropractic. Staff recommends requiring annual training, as quantified, in each of the following subject areas (14 hours total):

- Four (4) hours of continuing education in assessment and diagnostic procedures (as specified in Qualifying Subject Areas #1-#3).
- Four (4) hours in Chiropractic adjustive techniques and/or chiropractic manipulation techniques (as specified in Qualifying Subject Areas #5).
- Two (2) hours in ethics and law (as specified in Qualifying Subject Areas #11).
- Two (2) hours in sexual boundaries (as specified in Qualifying Subject Areas #12). Completed every two years.
- Two (2) hours in Record Keeping (as specified in Qualifying Subject Area #10)
 - Committee Topic: frequency of mandatory course – 6 hours in these three topics is excessive. Purposed one hour every year.

The remaining 10 hours may be satisfied through any of the eight other Qualifying Subject Areas.

Authorized Pathways

For purposes of clarity, the Board should establish two “pathways” by which a licensee may obtain CE credits – Traditional and Alternate.

- “Traditional Pathway” would be limited to BCE-approved courses (including distance-learning courses) in a Qualifying Subject Area received from a BCE-approved provider.

- “Alternate Pathway” would be credit obtained through an entity other than a BCE-approved provider. This would include credit obtained through any of the following pathways:
 - Serving as a NBCE Examiner,
 - Taking a CE Course approved by another healing arts board or the Division of Workers’ Comp,
 - Completing a PACE-approved course through a PACE accredited provider in a qualifying subject area,
 - Completing a CPR course approved by the American Heart Association/American Red Cross,
 - Credit received by attending a BCE Board Meeting.
 - Credit for participating as an Occupational Analyst, as a subject matter expert for the purpose of Exam Development of the California Law and Professional Practice Examination, pursuant to CCR 364, or for other Special Projects approved by the full Board.

Provider Qualifications and Responsibilities

The Board needs to establish minimum qualifications for determining an applicant’s ability to deliver defensible continuing education courses and programs. Current regulations require little more than name of a contact person and provide the Board with virtually no authority to deny an applicant.

At a minimum, the Board should specify causes for denial, such as prior withdrawal of the provider’s approval. The Board should also establish a process for reinstatement of approval.

Potential qualifications:

- Mission statement of organization
- Listed responsible party
- Example of record keeping system, including assessment tool result
- Methods/Procedure of attendance tracking and examples
- Grievance procedures, notification requirements (Board contact information)
- Conflict of Interest statements
- Transfer of records notice (in case of business closure and notification to the Board)
- Live scan results

Definition of “Course”

Providers and Board Staff consistently disagree on the definition of a “course” and the existing regulations provide very little clarification. The regulations do not specify limitations on the number of hours, subject areas, or CE credits for an individual course, which has resulted in providers submitting applications for “courses” being presented over several days, covering multiple subjects, taught by a variety of providers. The provider’s who do this are apparently attempting to avoid paying more than one course application fee for what in reality is a seminar offering a variety of courses and as many as 24 CE Credits.

In addition to specifying the minimum requirements for each course, the Board should specify the limits for what may qualify as an individual course.

Potential course suggestions:

- Applications consist of a planned program of continuing education activities. Applications can include multiple subject areas and are evaluated per unit hour and per subject matter.
- No limitation on how many hours submitted for given application. Licensees should be limited in taking 8 hours of instruction per day.
- Hour should be based on 60-minute hour.
- Required to submit:
 - Learning objectives
 - Hourly breakdown of instruction
 - Assessment of learning tool; the evaluation method is appropriate to the course objectives and educational methods and measures the extent to which the objectives were accomplished
 - Instructor CV, exemplifying appropriate certifications and qualifications for the subject matter the application is listed under
 - Potentially to include professional license number

Denial and Appeal Processes

For purposes of clarity, the Board should establish separate and distinct sections outlining the Denial and Appeal Processes for Provider Applications and the Denial and Appeal Processes for Course Applications. Currently, these provisions are buried in the sections related to the approval of the respective application, which makes them confusing and difficult to find. In addition, the denial/appeal process for providers and courses aren't consistent, which leads to further confusion for staff and providers.

Potential suggestions:

- The board may deny a provider application or withdraw its approval of a provider for causes that include, but are not limited to, the following:
 - The provider or applicant has been convicted of a crime substantially related to the activities of a provider or licensee;
 - The provider or applicant has had a license revoked, suspended, placed on probation, voluntarily surrendered or otherwise disciplined by the board.
- The board may suspend review and approval of an application if an administrative action is pending against an applicant's license.
- Any material misrepresentation of fact by a provider or applicant in any information required to be submitted to the board is grounds for withdrawal or denial of an application.
- The board may withdraw its approval of a provider or a course after giving the provider written notice setting forth its reasons for withdrawal and after giving the provider a reasonable opportunity to be heard by the board or its designee.

Appeal process:

Should the board deny approval of a provider or a course request, the applicant may appeal the action by submitting to the board, a letter stating the reason(s) for the appeal. The letter of appeal shall be filed with the board within ten (10) days of the mailing of the applicant's notification of the board's denial. The appeal shall be considered by the board or its designee. In the event that the board or its designee grants the appeal after the date of the course for which the appeal is being made, the board will accept continuing education hours from its licensees who completed the course.

Licensee Reporting Requirements

To facilitate the auditing of a licensee's compliance with the annual CE requirements, the Board should consider requiring licensees to disclose at the time of license renewal specific information regarding the credits obtained in the preceding year.

Specifically, licensees should provide a certificate containing the following information for each qualifying course they completed:

- Course Title
- Approval Number
- Date of Completion,
- Name of CE Provider
- Method of Study (e.g., live presentation, online course, etc).
- Number of credits earned
- Qualifying subject areas satisfied
- Any additional information applicable to CE Credits earned through an alternate pathway.
- Additionally, a form must be completed at the time of license renewal, identifying all courses completed and including pertinent details.