



NOTICE OF TELECONFERENCE BOARD MEETING

December 16, 2021
9:00 a.m. to 4 p.m.
or until completion of business

Pursuant to the statutory provisions of Government Code section 11133, neither a public location nor teleconference locations are provided. To access the Webex event, attendees will need to click the following link and enter their first name, last name, email, and the event password listed below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=ma80414eda349758a28f915728aaf7b7d>

If joining using the link above

Event number: 2495 370 8908
Event password: BCE12162021

If joining by phone

+1-415-655-0001 US Toll
Access code: 249 537 08908
Passcode: 22312162

The preferred audio connection is via mobile phone. The phone number and access code will be provided as part of your connection to the meeting. When signing into the Webex platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment. Public comments will be limited to two minutes per person unless, in the discretion of the Board, circumstances require a shorter period. Members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

Important Notices to the Public: The Board of Chiropractic Examiners will hold this meeting via Webex – access information is provided above. General instructions for using Webex are attached to the agenda. 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-mailing chiro.info@dca.ca.gov, or sending a written request to the Board of Chiropractic Examiners, 1625 N. Market Blvd, Ste N-327, Sacramento, CA 95834. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

The Board may take action on any agenda item.

AGENDA

- 1. Open Session – Call to Order & Establishment of a Quorum**
 - Dionne McClain, D.C., Chair
 - David Paris, D.C., Vice Chair
 - Janette Cruz, Public Member
 - Laurence Adams, D.C.
 - Pamela Daniels, D.C.
 - Rafael Sweet, Public Member

2. Hearing Re: Petition for Reinstatement of Revoked License

- A. Reza Aliakbar Case No. AC 2007-592
- B. Jeffrey Nabatmama Case No. AC 2003-332
- C. Phillip Jung-Wan Kim Case No. AC 2013-949

-----**15 Minute Break**-----

3. Closed Session

The Board will meet in Closed Session to:

- A. Deliberate and vote on Disciplinary Matters, including the above Petitions for Reinstatement pursuant to California Government Code Section 11126, subd. (c)(3)
- B. Discuss and possibly take action regarding the preparation, approval, grading, or administration of examinations pursuant to Government Code Section 11126, subd. (c)(1)
- C. Discuss and Possibly take action on the Selection Process and Appointment of an Interim Executive Officer pursuant to Government Code Section 11126, subd. (a)(1)

4. Reconvene to Open Session

-----**1 Hour Lunch Break**-----

5. Chair’s Report

Update on the Chair’s Activities and Board’s accomplishments and/or goals

6. Approval of July 16, 2021, Board Meeting Minutes

7. Approval of November 22, 2021 Board Meeting Minutes

8. Ratification of Approval of License Applications

9. Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing

10. Ratification of Approved Continuing Education Providers

11. Executive Officer’s Report

- A. Administration - Board staffing/organizational chart
- B. Budget - Fund condition update
- C. Licensing - Statistical trends
- D. Enforcement - Statistical trends
- E. Information Technology (IT) Update

12. Update, Review, Discussion and Possible Action on Enforcement Committee December 3, 2021, Meeting Agenda

The Board may act on any item on the attached Enforcement Committee Meeting agenda.

13. Review, Discussion and Possible Action Regarding Fee Analysis Report

14. Review, Discussion and Possible Action Regarding Sunset Review Report

-----**15 Minute Break**-----

15. Update, Discussion and Possible Action on Pending Rulemaking:

- A. Denial of Application: Revocation or Suspension of Licensure (16 CCR Sections 316.5, 326 and 327)
- B. Revisions to Curriculum Requirements and Approval of Programs (16 CCR Sections 330 through 331.16)
- C. Continuing Education Requirements (CE Provider and Course Approval)/ Mandatory Cardiopulmonary Resuscitation (CPR) Certification for All Licensees (16 CCR Section 361 – 366)
- D. Delegation of Authority to the Assistant Executive Officer/Compliance with Citation and Order of Abatement (16 CCR Section CCR sections 306, 389, 390, 390.3, 390.4 and 390.5)
- E. Consumer Protection Enforcement Initiative (CPEI) (16 CCR Sections 303, 304, 306.3, 308, 308.1, 312, 314, 317.3, 321.1, 384.1, 390.7, and 390.8)
- F. Revisions to BCE Disciplinary Guidelines & Uniform Standards for Substance Abusing Licensees (16 CCR Section 384)
- G. Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice on Death/Incapacity of Licensee (16 CCR Section 312.2 and 318)
- H. Amend or Repeal 16 CCR Section 354: Successful Examination (Obsolete provision)

16. Discussion and Possible Action on the Use of a Satellite Certificate and a Pocket License (16 CCR Section 308)

17. Nomination of Board Officers for 2021. The Board will Initiate Nomination Procedures for Board Officer Positions: Chair, Vice Chair, and Secretary.

18. Review, Discussion and Possible Action Regarding the Proposed 2022 Board Meeting Schedule

19. Public Comment for Items Not on the Agenda

Note: The Board 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.

20. Future Agenda Items

Note: The Board 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 Section 11125.]

21. Adjournment

In accordance with Government Code section 11133, no physical location is available for observation and public comment, so please plan to attend the meeting telephonically. Meetings of the Board of Chiropractic Examiners 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 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.

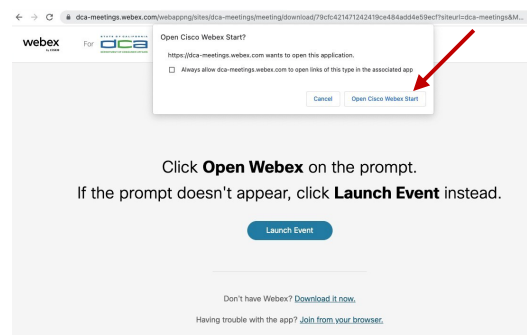
A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at (916) 263-5355, or e-mailing chiro.info@dca.ca.gov, or sending a written request to the Board of Chiropractic Examiners, 1625 N. Market Blvd, Ste N-327, Sacramento, CA 95834. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

If joining using the meeting link

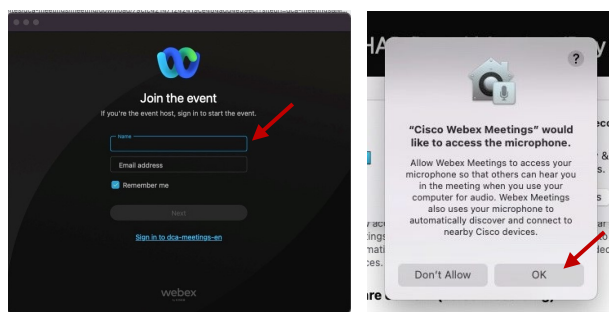
1 Click on the meeting link. This can be found in the meeting notice you received.

2 If you have not previously used Webex on your device, your web browser may ask if you want to open Webex. Click “Open Cisco Webex Start” or “Open Webex”, whichever option is presented.

DO NOT click “Join from your browser”, as you will not be able to participate during the meeting.



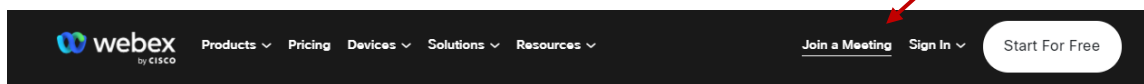
3 Enter your name and email address. Click “Join as a guest”. Accept any request for permission to use your microphone and/or camera.



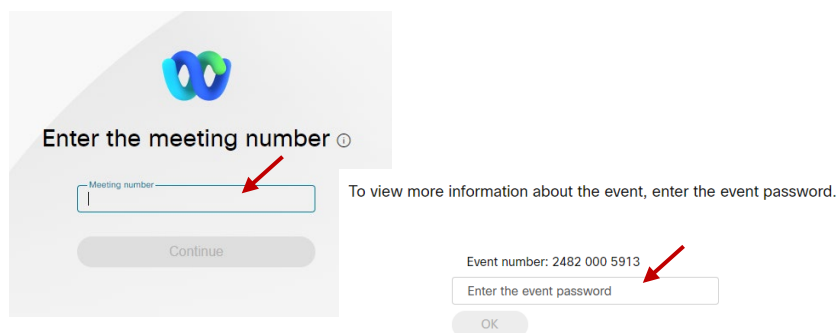
OR

If joining from Webex.com

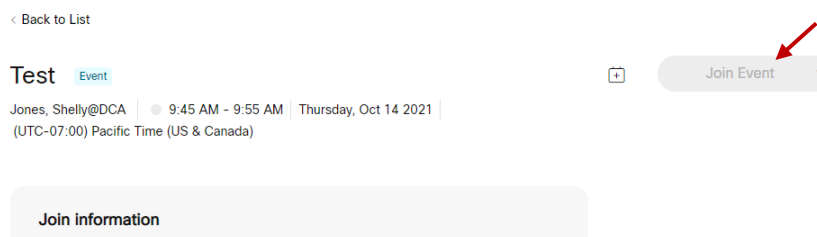
1 Click on “Join a Meeting” at the top of the Webex window.



2 Enter the meeting/event number and click “Continue”. Enter the event password and click “OK”. This can be found in the meeting notice you received.



3 The meeting information will be displayed. Click “Join Event”.



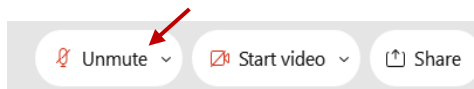
OR

Connect via telephone:

You may also join the meeting by calling in using the phone number, access code, and passcode provided in the meeting notice.

Microphone

Microphone control (mute/unmute button) is located on the command row.

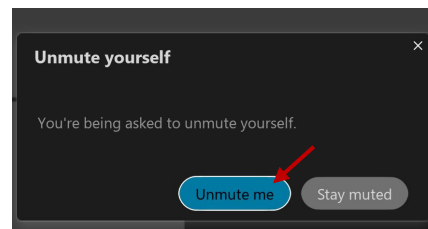


Green microphone = Unmuted: People in the meeting can hear you.



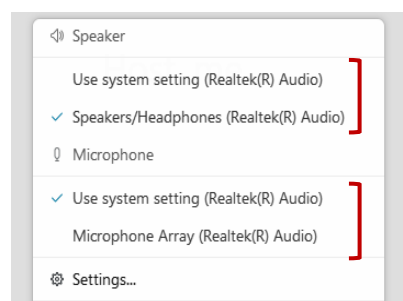
Red microphone = Muted: No one in the meeting can hear you.

Note: Only panelists can mute/unmute their own microphones. Attendees will remain muted unless the moderator enables their microphone at which time the attendee will be provided the ability to unmute their microphone by clicking on “Unmute Me”.



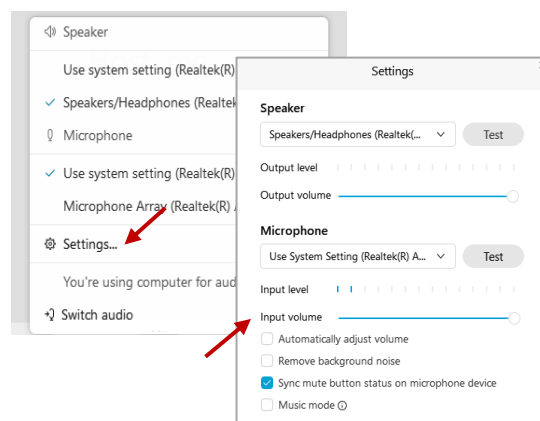
If you cannot hear or be heard

- 1 Click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window, select a different:
 - Microphone option if participants can't hear you.
 - Speaker option if you can't hear participants.



If your microphone volume is too low or too high

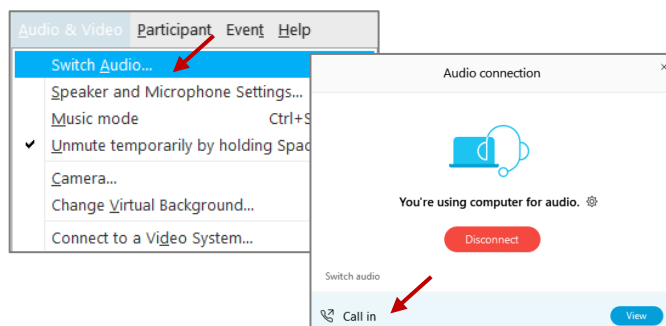
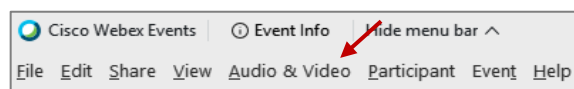
- 1 Locate the command row – click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window:
 - Click on “Settings...”:
 - Drag the “Input Volume” located under microphone settings to adjust your volume.



Audio Connectivity Issues

If you are connected by computer or tablet and you have audio issues or no microphone/speakers, you can link your phone through webex. Your phone will then become your audio source during the meeting.

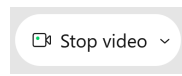
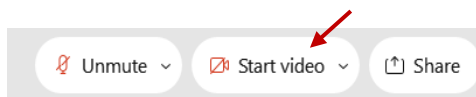
- 1 Click on “Audio & Video” from the menu bar.
- 2 Select “Switch Audio” from the drop-down menu.
- 3 Select the “Call In” option and following the directions.



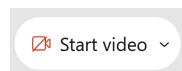
Web Camera

Only panelists (e.g. staff, board members, presenters) can access the web camera feature.

Camera control (Start Video/Stop Video button) is located on the command row.



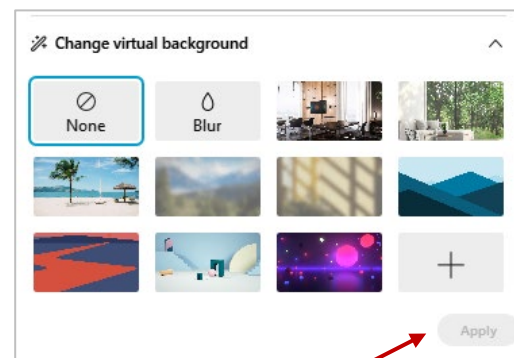
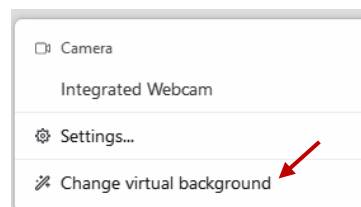
Green dot in camera = Camera is on: People in the meeting can see you.



Red dot in camera = Camera is off: No one in the meeting can see you.

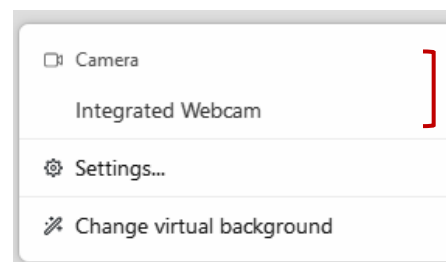
Virtual Background

- 1 To access virtual backgrounds, click on the bottom facing arrow located on the video button.
- 2 Click on "Change Virtual Background".
- 3 From the pop-up window, click on any of the available images to display that image as your virtual background and click "Apply".



If you cannot be seen

- 1 Locate the command row – click on the bottom facing arrow located on the video button.
- 2 From the pop-up window, select a different camera from the list.





NOTICE OF TELECONFERENCE ENFORCEMENT COMMITTEE MEETING

December 3, 2021
9:00 a.m. to 11:00 a.m.
(or until completion of business)

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If joining using the link above

Event number: 2494 536 4873

Event password: BCE12032021

If joining by phone

+1-415-655-0001 US Toll

Access code: 249 453 64873

Passcode: 22312032

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AGENDA

- 1. Call to Order & Establishment of a Quorum**
- 2. Approval of October 16, 2020 Meeting Minutes**
- 3. Review, Discussion, and Possible Action Regarding the Expert Witness Recruitment and Selection Process**

- 4. Review, Discussion, and Possible Action Regarding the Record Keeping Requirements for Chiropractic Patient Records (California Code of Regulations, Title 16, Section 318)**
- 5. Review, Discussion, and Possible Action Regarding Proposed Statutory Language to Amend Business and Professions Code Section 1007, subdivision (c), - Specified Exemptions to the Patient Notification Requirement for Licensees Placed on Probation by the Board**
- 6. Review, Discussion, and Possible Action regarding:**
 - A. Consumer Protection Enforcement Initiative (CPEI)
 - B. The Board's *Disciplinary Guidelines and Model Disciplinary Orders* and Implementation of the Uniform Standards for Substance Abusing Licensees (California Code of Regulations, Title 16, Section 384)
- 7. Public Comment for Items Not on the Agenda**

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- 8. Future Agenda Items**

Note: The Committee may not discuss or take action on any matter raised during this 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 section 11125).
- 9. Adjournment**

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