

Board of Chiropractic Examiners

2525 Natomas Park Drive, Suite 260
Sacramento, California 95833-2931
Telephone (916) 263-5355 FAX (916) 263-5369
CA Relay Service TT/TDD (800) 735-2929
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**BOARD OF CHIROPRACTIC EXAMINERS
PUBLIC SESSION MINUTES**

April 16, 2009
State Capitol
Senate Room 113
Sacramento, CA 95814

Board Members Present

Frederick Lerner, D.C., Chair
Hugh Lubkin, D.C., Vice Chair
Francesco Columbu, D.C., Secretary
Jeffrey Steinhardt, D.C.
Richard Tyler, D.C.

Staff Present

Brian J. Stiger, Executive Officer
LaVonne Powell, Senior Staff Counsel
April Alameda, Associate Governmental Program Analyst
Tammi Pitto, Staff Services Analyst
Valerie James, Office Technician

Call to Order

Dr. Lerner called the meeting to order at 10:06 a.m.

Roll Call

Dr. Columbu called the roll. All members were present except Martin Mariscal.

Chair's Report

Dr. Lerner announced that this meeting will be very brief. We are here to make a correction on a small error made to the Manipulation Under Anesthesia Regulations.

Approval of Minutes

March 26, 2009 Board Meeting

MOTION: DR. LERNER MOVED TO APPROVE THE MARCH 26, 2009 MINUTES WITH CORRECTIONS

SECOND: DR. LUBKIN SECONDED THE MOTION

VOTE: 5-0

MOTION CARRIED

Manipulation Under Anesthesia (MUA) Proposed Regulations

Dr. Lerner discussed Health and Safety Code 1248, Section A, which talks about providing service in a mobile van. He is sure that this was well intended for providing services to remote areas, however he thinks this would be an error for us to even have a possibility of anyone doing manipulation under anesthesia in a mobile van. Dr. Lerner suggests a combined motion to delegate the authority to the Executive Officer to adopt the proposed regulations with the modifications and the Executive Officer will indicate after the expiration of the 15 day comment period if there are any adverse comments. Dr. Lerner would like to exclude 1248.1(h).

MOTION: DR. LERNER MOVED TO DELEGATE TO THE EXECUTIVE OFFICER THE AUTHORITY TO ADOPT THE PROPOSED REGULATIONS WITH THE MODIFICATIONS AND THE EXECUTIVE OFFICER WILL INDICATE AFTER THE EXPIRATION OF THE 15 DAY COMMENT PERIOD IF THERE ARE ANY ADVERSE COMMENTS. THE MODIFICATIONS ARE TO ADD TO PARAGRAPH A, AT THE END, "HOWEVER MUA SHOULD NOT BE PERFORMED IN A MOBILE VAN PURSUANT TO 1248.1(H)" AND AMMEND PARAGRAPH B, TO MOVE THE PHRASE "TRAINED AND COMPETENT TO ADMINISTER ANESTHESIA SAFELY" AT THE END OF THE SENTENCE

SECOND: DR. LUBKIN SECONDED THE MOTION

VOTE: 5-0

MOTION CARRIED

Discussion

Dr. Steinhardt stated he is currently dealing with a case and is curious to know if there is a van that has such a set up to transport a surgical center and would that be appropriate.

Dr. Lerner responded it may be appropriate for some situations, but he could never see it appropriate for MUA, it would be a big public safety issue.

Ms. Powell commented that in Section b of the proposed language we should move "trained and competent to administer anesthesia safely" to the end of that sentence. It would be more appropriate there so it would be clear that we are talking about training and competence for anyone doing the anesthesia, not just the physician or surgeon.

Public Comment

None

Adjournment

Dr. Lerner adjourned the public meeting at 10:21 a.m.