Call to Order
Dr. Lerner called the meeting to order at 9:05 a.m.

Roll Call
Dr. Columbu called the roll. All members were present except Dr. Steinhardt.

Chair's Report
Dr. Lerner gave the Chair’s Report.

Approval of Minutes
September 10, 2009 Board Meeting

MOTION: DR. TYLER MOVED TO APPROVE THE SEPTEMBER 10, 2009 MINUTES AS AMMENDED
SECOND: MR. MARISCAL SECONDED THE MOTION
VOTE: 5-0
MOTION CARRIED
Discussion
Dr. Lubkin suggested an amendment to provide clarification.

Public Comment
None

Interim Executive Officer’s Report
Dr. Lerner suggested Ms. Shaw provide the Interim Executive Officer’s Report.

Ms. Shaw gave the Interim Executive Officer’s Report. The topics were Administration, Budget, Licensing, and Enforcement.

Dr. Lerner, Dr. Lubkin, Dr. Tyler, Mr. Mariscal, Ms. Shaw, and Ms. Powell had discussion on the licensing statistics for satellite offices in relation to QME.

Ms. Shaw and Dr. Lerner discussed enforcement statistics.

Ratification of Approved License Applications

MOTION: DR. LUBKIN MOVED TO RATIFY THE APPROVED LICENSE APPLICATIONS
SECOND: DR. TYLER SECONDED THE MOTION
VOTE: 5-0
MOTION CARRIED
The Board ratified the attached list of approved license applications incorporated herein (Attachment A).

Discussion
None

Ratification of Approved Continuing Education Providers
None

Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing
None

Recommendation to Waive Two Year Requirement to Restore a Cancelled License

MOTION: DR. LUBKIN MOVED TO RATIFY THE RECOMMENDATION TO WAIVE TWO YEAR REQUIREMENT TO RESTORE A CANCELLED LICENSE
SECOND: DR. TYLER SECONDED THE MOTION
VOTE: 5-0
MOTION CARRIED
The Board ratified the attached list of applications in which the applicants request to waive the two year requirement to restore a cancelled license incorporated herein (Attachment B).

Discussion
None
Report from the Enforcement Committee
Dr. Lubkin provided an update from the Enforcement Committee. The topics were moving Section 314 into the regulatory phase and staff reporting information to the Board.

Report from the Public Relations Committee
Mr. Mariscal provided an update from the Public Relations Committee. The topics were Board Newsletter, Web Casting Enhancements, Proposed Adoption of Board Seal and Selection of Board Logo, and Consumer Education Brochure.

MOTION: MR. MARISCAL MOVED TO AUTHORIZE EXPEDITURE FOR STAFF TO PURCHASE THE RECOMMENDED LIST OF EQUIPMENT TO ENHANCE WEB CASTING SECOND: DR. LUBKIN SECONDED THE MOTION
VOTE: 5-0
MOTION CARRIED

Discussion
Dr. Lubkin, Dr. Lerner and Mr. Mariscal provided clarification on the purpose of recommended equipment.

Public Comment
Dr. Davis provided public comment in favor of the recommended equipment.

Dr. Lerner provided and withdrew a motion to adopt example #2 as the Board Logo. There was discussion on making a change to this logo.

Mr. Mariscal and Dr. Lerner discussed developing a Consumer Education Brochure.

Legislative Update
A. SB 294 (Negrete-McLeod)
Dr. Lerner and Ms. Powell discussed SB 294. This is a 2 year bill. Dr. Lerner and Mr. Puleo will meet with B & P staff to discuss conflicts.

B. SB 1494 (Eng)
Dr. Lerner and Ms. Powell discussed SB 1494.

C. Other legislative bills of interest to the Board
None

Update on SB 1441 Committee
Ms. Powell provided an update from the SB 1441 Committee. The next committee meeting is September 30, 2009.

Proposed Regulations
A. Manipulation Under Anesthesia
Dr. Lerner provided an update on the third 15 day comment period and requested legal response to the comments.
Ms. Powell suggested having a board meeting on October 23, 2009 to discuss regulations and staff will commit to giving suggested responses one week prior to the meeting.

**MOTION:** DR. LERNER MOVED TO HOLD A BOARD MEETING ON OCTOBER 23, 2009 FOR THE PURPOSE OF GOING THROUGH WRITTEN COMMENTS FOR MUA AND CE WITH LEGAL RESPONSES AND DECIDING HOW TO MOVE FORWARD WITH THE REGULATIONS
SECOND: DR. LUBKIN SECONDED THE MOTION
VOTE: 5-0
MOTION CARRIED

**Discussion**
Dr. Lubkin suggested a morning meeting.

**Public Comment**
None

**B. Continuing Education**
Dr. Lerner provided an update on the second 15 day comment period. The responses to comments have been tabled to the October 23, 2009 Board Meeting.

**C. Recognition of Chiropractic Specialties**
Dr. Lerner provided an update on this regulation.

Dr. Lerner, Ms. Powell, Dr. Lubkin, Dr. Tyler, Mr. Mariscal, and Dr. Columbu discussed the written comments and suggested responses from staff.

Dr. Charles Davis provided clarification on ICA’s certification standards.

Kristine Shultz provided clarification on CCA’s recommendation to include the Academy of Chiropractic Neurology.

Dr. McAllister asked for clarification on the response to comment number 9.

Dr. Lerner and Ms. Powell provided clarification.

**MOTION:** DR. LUBKIN MOVED TO CHANGE THE REGULATORY LANGUAGE TO INCLUDE THE DIVISION OF WORKERS COMPENSATION TITLE 8 AND CALIFORNIA CODE OF REGULATIONS SECTION 12, ELIMINATE THE INTERNATIONAL ACADEMY OF CHIROPRACTIC NEUROLOGY, AND ACCEPT ALL RESPONSES TO COMMENTS PROVIDED FROM LEGAL COUNCIL AND STAFF AS DISCUSSED
SECOND: DR. TYLER SECONDED THE MOTION
VOTE: 5-0
MOTION CARRIED

**Discussion**
Ms. Powell provided clarification that we need to notice further underlying data regarding the requirements of ICA and ACA in order to be recognized as a specialty board.
D. California Code of Regulations Section 314
Dr. Lerner provided an update on this regulation.

Legal Representation for Board
Dr. Lerner, Ms. Powell, Dr. Columbu, and Mr. Mariscal discussed exploring options for litigation other than the Office of the Attorney General for the purpose of cost savings and increased efficiency.

MOTION: DR. LERNER MOVED TO EXPLORE UTILIZING IN HOUSE COUNCIL FOR ADMINISTRATIVE CASES AND BEGIN WORKING A PROPSAL FOR PERMISSION TO THE OFFICE OF THE ATTORNEY GENERAL
SECOND: DR. LUBKIN SECONDED THE MOTION
VOTE: 5-0
MOTION CARRIED

Discussion
Dr. Columbu and Dr. Lerner further discussed the proposal for permission to the Office of the Attorney General.

Search for Executive Officer
Dr. Lerner provided an update and discussed the process of recruiting an Executive Officer.

Public Comment
Dr. Becker provided public comment regarding satellite offices and QME stating there is a QME database on the DWC website.

Debra Snow provided comments regarding Continuing Education indicating she is currently working on a comparison of continuing education requirements and mandatory categories of all the health care boards.

Dr. Tyler commented on mandatory continuing education requirements.

Future Agenda Items
Dr. Lubkin would like to bring someone from the Department of Managed Care to the November Board Meeting to discuss proper rules and regulations to be in compliance with their statutes.

Dr. Lerner would like to discuss reciprocity and exceptions to licensure for traveling doctors for purposes such as sports.

Mr. Mariscal discussed providing examples of proper advertising.

Closed Session
Dr. Lerner provided an update from closed session announcing the October 23, 2009 meeting has been changed to October 22, 2009.

Hearings re: Petition for Reinstatement of Revoked License
Administrative Law Humberto Flores presided over and Deputy Attorney General Tom Rinaldi appeared on behalf of the people of the State of California on the following hearings.
Closed Session
Following oral testimonies, the Board went into closed session for deliberation and determinations of Petitioners.

Adjournment
Dr. Lerner adjourned the public meeting at 5:05 p.m.
**Attachment A**

Approval By Ratification of Formerly Approved License Applications
July 1, 2009 – August 31, 2009

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Attachment B

Recommendation to Waive Two Year Requirement on Restoration of a Cancelled License

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<th>Name (Last, First MI)</th>
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