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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	Board of Chiropractic
MEETING DATE AND TIME:	Thursday, June 3, 2010 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
MINUTES APPROVED:	September 2, 2010

MEMBERS PRESENT

Dr. Christopher Baldt, Professional Member, President
Dr. Arthur Travis, Professional Member
Jay Galloway, Public Member
Jill Morrison, Public Member
Lois Dunning, Public Member

MEMBERS ABSENT

Dr. Brian Chandler, Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERALS PRESENT

Allison Reardon, Deputy Attorney General
Nancy Fields, Administrative Specialist II

OTHERS PRESENT

James Collins, Director, Division of Professional Regulation
Kay Warren, Deputy Director, Division of Professional Regulation

CALL TO ORDER

Dr. Baldt called the meeting to order at 8:35 a.m.

REVIEW OF MINUTES

A motion was made by Dr. Travis, seconded by Ms. Dunning, to accept the meeting minutes for May 6, 2010 as presented. The motion unanimously carried.

UNFINISHED BUSINESS

Review Draft Regulatory Amendments

The Board reviewed a draft of the proposed regulation amendments with the exception of Regulation 9. Ms. Davis-Oliva will prepare a final draft and send it to the Board members via email to review. Once accepted, the amendments will be posted in the Register of Regulations for 30 days and two newspapers and the Board will hold a public hearing in the month to follow.

Superior Court Ruling During Appeal – Rooney

After an eleven hour hearing on April 1, 2010, the Delaware Board of Chiropractic ruled to revoke the Chiropractic license of Joseph Rooney Jr. This was his third complaint and hearing regarding inappropriate behavior with his female patients. The Board Order was signed on April 15, 2010 and his license status was revoked. Dr. Rooney appealed the Board's decision to Superior Court.

Superior Court denied the Board's motion for a stay during the appeal process, in part. The judge ruled that Rooney could practice as a Chiropractor in Delaware; however, he could only see male patients over the age of 18. No women or children (male or female) under 18 years old are allowed to be in his office. In addition, a sign was supposed to be posted on his office door advising the public of this ruling. The Board expressed its regret that its decision to revoke Rooney's license was not allowed to stay during the appeal process and share a deep concern for the public safety and awareness due to this ruling by the Superior Court judge. The Board asked if an Investigator could determine if he was in compliance with the Order.

NEW BUSINESS

Ratification of Applications

There were no applications to ratify.

Review of Applications

The Board reviewed the application of Nicholas P. DeCampo III, D.C.

After review and discussion, a motion was made by Dr. Travis, seconded by Dr. Baldt, to approve Dr. DeCampo's application for licensure. The motion unanimously carried.

The Board reviewed the application of Steven R. Kemp, D.C.

After review and discussion, a motion was made by Dr. Travis, seconded by Mr. Galloway, to approve Dr. Kemp's application for licensure. The motion unanimously carried.

Review of Continuing Education

A motion was made by Ms. Morrison, seconded by Ms. Dunning, to accept or deny the continuing education requests as shown below:

Florida Chiropractic Association
FCA Summer Convention and Exposition 2010, 67 hours

Logan College of Chiropractic
2010 ProSport Washington, DC Seminar, 13 hours

New York Chiropractic College
NYCC Alumni Homecoming Weekend, 46 hours total, 14 hours max. per DC
Treating the Athlete: Sports Medicine and Its Unique Malpractice
Issues, online and home study, 2 hours
Certified Chiropractic Sports Physician, 120 hrs, 10 sessions

Northwestern Health Sciences University
Occupational Health & Applied Ergonomics DVD Program, 252 hrs,
Sessions 1- 16, 18 – 22 12 hrs per session (subject to online restriction)
48-Hour Nutritional Certificate DVD Program, Session 1 – 4

Sports Injuries Year 1 CCSP DVD Program, 7 sessions/12 hrs each

Palmer College of Chiropractic

FCS-Vertebral Subluxation Complex, 45 hours offered/26 hrs may be earned per DC
Palmer College Homecoming 2010, 102 hour offered/ 20 – 24 may be earned per DC

LRS IA: Integrated Chiropractic Technique, 12 hours

LRS IA: Fibromyalgia Syndrome, Muscle Pain and Dysfunction, 12 hrs

LRS IA: Practical Nutrition in Chiropractic Practice, 12 hours

LRS IA: Documentation Coding and Compliance, 12 hours

LRS IA: Upper and Lower Extremities, 12 hours

LRS IA: Chiropractic's Track Record in Research, 12 hours

LRS IA: Decompression and Laser Therapy, 12 hours

CCSP/Certified Chiropractic Sports Practitioner Program, 12 hour per session, 5 live sessions in program

- Concepts of a Sports Chiropractor/Spinal Conditions in Sports
- Extremity Adjusting
- Taping and Bracing
- Emergency Procedures
- Correlative Studies

ICA Annual Superconference on Chiropractic and Pediatrics, 20.5 Hours/ up to 16.5 may be earned per DC

LRS:FL: Documentation Coding and Compliance, 12 hours

LRS:FL: Golf Injuries Seminar, 12 hours

Southern California University of Health Sciences

DConline Recertification 2010, 166 hours (online)

OTHER BUSINESS BEFORE THE BOARD

Dr. Baldt inquired about whether wall certificates could be issued to Chiropractors. Ms. Fields advised that the Division of Professional Regulation may consider issuing Wall Certificates to Chiropractors for a fee as it does for a few other professions, but she would have to make an inquiry.

Dr. Baldt inquired about whether the Board could do a newsletter about what the Board has accomplished and what its future goals are, and asked if we could add in a picture of the Board. Ms. Fields advised that the Board could do a newsletter to be emailed to the licensees and put on the website.

The Board members discussed their disappointment in the News Journal article regarding the recent events concerning Earl Bradley and Joseph Rooney. Mr. Collins was interviewed for this article, as well as the complainant in the Rooney case.

PUBLIC COMMENT

Mr. Collins addressed the Board and expressed his disappointment in the newspaper article and the Superior Court's decision regarding Joseph Rooney as well. He asked the Board members if they had any questions about recent events or anything else. The Board asked a few questions.

Mr. Collins advised the Board that bills have been submitted for this legislative session to try to be able to improve and speed up the complaint process. One bill proposes that disciplines would be effective sooner, such as immediately after the hearing instead of after the Board signs the Decision and Order a month or two later. In addition, Board Orders would have to be completed and signed within thirty days. Another bill allows the name of the complainant to be withheld from complaints

issued to the respondents. In addition, the Division wishes to be able to use hearing officers in order to hear and handle cases that are non-technical in nature and the Board would just have to finalize in an Order to speed up the process. The Division is also getting two new Deputy Attorney Generals. One to help with the prosecution of the multitude of complaints at the Attorney General's office and another to help out with Board work.

Lastly, Mr. Collins also advised the Board that other legislation was submitted as a result of the Bradley case that may be of special interest to them, such as the bill regarding the treatment of minors under the age of 15 years old.

NEXT MEETING

The next regular Board meeting is scheduled for Thursday, September 2, 2010 at 8:30a.m.

ADJOURNMENT

There being no further business before the Board, a motion was made by Ms. Morrison, seconded by Ms. Dunning, to adjourn the meeting. The motion unanimously carried. The meeting was adjourned at 9:50 a.m.

Respectfully submitted,



Nancy Fields
Administrative Specialist II