



**WASHINGTON STATE**  
**CHIROPRACTIC QUALITY ASSURANCE COMMISSION**  
**BUSINESS MEETING MINUTES**  
**September 9, 2021**

**This was a public meeting held via a webinar**

**Commission Members:**

David Folweiler, DC, Chair, Dana Clum, DC, Vice-Chair, Vanessa Wise, DC, Vice-Chair, Susan Jensen, JD, Executive Committee Public Member, Susan Bogni, Public Member, Michael Bostjancic, DC, Brian Chan, DC, Stephen Chan, DC, William Davis, DC, Michael Long, DC, Judge Julie Spector (ret.), Public Member, Rebecca Taylor, DC, and Jas Walia, DC.

**Staff Present:**

Bob Nicoloff, Commission Executive Director  
Tammy Kelley, Commission Deputy Executive Director  
Jenny Yeam, Commission Licensing and Compliance Manager  
Brandy Acuff, Commission Health Services Consultant  
Julianne Kolln, DOH Policy Analyst  
Christopher Gerard, Assistant Attorney General

**OPEN SESSION – Thursday, September 9, 2021**

**9:00 a.m.**

**1. CALL TO ORDER – Dr. Folweiler, Chair**

1.1 The agenda was approved with the addition of item 17.

**2. MESSAGES FROM COMMISSION LEADERSHIP - Dr. Folweiler, Chair; Dr. Clum, Vice-Chair; Dr. Wise, Vice-Chair; Ms. Jensen, Executive Committee Public Member**

2.1 Dr. Folweiler thanked everyone for attending, and for their commitment to public health. Commission leadership is looking forward to meeting again in person, hopefully in early 2022.

**3. APPROVAL OF MEETING MINUTES**

3.1 The draft July 8, 2021 meeting minutes were approved as submitted.

**4. COVID-19 UPDATE - Dr. Folweiler, Chair and Tammy Kelley, Deputy Executive Director**

4.1 Dr. Folweiler reviewed Governor Inslee's [Proclamation 21-14.1](#) regarding vaccinations and health care workers.

4.2 Recent DOH staff directives regarding COVID-19 were reviewed.

4.3 An update regarding other Commission COVID-19 related activities was provided.

**5. MEETING WITH DOH SECRETARY SHAH ON JULY 13<sup>TH</sup> – Dr. Folweiler**

5.1 Dr. Folweiler discussed a meeting held with Department of Health Secretary Umair Shah and the leadership and staff of Nursing and Medical Commissions.

**6. PLANNING THE REMAINING 2021 NATIONAL MEETINGS AND ACTIVITIES**

6.1 The Commission discussed plans for the following upcoming meetings and activities:

- CLEAR Annual Conference, September 20-24, virtual meeting

Commission Members Who Have Expressed Interest: Ms. Bogni, Dr. S. Chan, Dr. Clum, Dr. Taylor, Dr. Wise

- FCLB District I & IV Meeting, October 7-11, Whitefish, MT

Commission Members Registered: Ms. Bogni, Dr. Wise

- NBCE Fall Part IV Examinations, November 12-14, various locations including Portland

Commission Representatives: Dr. S. Chan, Dr. Walia

**7. PLANNING FOR THE 2022 COMMISSION MEETINGS**

7.1 The Commission discussed dates for the business meetings in 2022. The dates selected are January 13<sup>th</sup>, March 10<sup>th</sup>, May 12<sup>th</sup>, July 14<sup>th</sup>, September 8<sup>th</sup>, and November 17<sup>th</sup>.

**8. UPDATE REGARDING ONLINE CLASSROOM TRAINING FOR CHIROPRACTIC X-RAY TECHNICIANS – Bob Nicoloff, Executive Director**

8.1 Commission Leadership discussed plans for the subcommittee established to study ideas regarding online and/or hybrid approaches for training chiropractic x-ray technicians. The first meeting will be held soon.

**9. OVERVIEW ON THE OPEN PUBLIC MEETINGS ACT – Christopher Gerard, AAG**

9.1 This item was deferred to a future meeting.

**10. OVERVIEW ON ROBERT'S RULES – Christopher Gerard, AAG**

10.1 This item was deferred to a future meeting.

**11. 2022 PROPOSED DOH LEGISLATION- Bob Nicoloff, Executive Director**

**11.1** The Department of Health is considering a legislative proposal to enhance the capacity of certain health profession boards and commissions. The proposal modifies board and commission statutes in order to achieve consistency, increase effectiveness, and to allow for more diversity, including removing U.S. citizenship requirements to serve on a board or commission.

**12. BUDGET AND FINANCIAL OVERVIEW- Bob Nicoloff, Executive Director**

**12.1** A review of the Commission's current budget and finances was provided.

**13. COMMISSION NEWSLETTER AND TRAINING PLANNING**

- **Tammy Kelley, Deputy Executive Director**

**13.1** The Commission reviewed the final draft of the 2021 Edition 2 Newsletter.

**13.2** The Commission reviewed and updated the future newsletter articles list and future training topics list.

**14. STAFF REPORT – Bob Nicoloff, Executive Director, and Tammy Kelley, Deputy Executive Director**

**14.1** Plans for identifying possible revisions to the CQAC-DOH Joint Operating Agreement (JOA) were discussed.

**14.2** The draft sexual misconduct rule changes were reviewed. The Commission discussed and passed a motion for one additional change to the draft rule to clarify that unnecessarily exposing a patient would be a violation.

Based on their experience on a recent disciplinary hearing panel, Ms. Bogni and Dr. Wise noted that the definition of grooming in the current draft rule may need clarification. The Commission asked that the Rules Committee work with Ms. Bogni and Dr. Wise to review that section of the draft rules, and to present any additional recommendations at the November meeting.

**14.3** Other current projects and activities in the Commission office were discussed.

**15. NEW BUSINESS REQUESTS – Commission Members**

**15.1** No additional agenda items for future meetings were identified.

**16. PUBLIC COMMENT**

**16.1** Lori Grassi, Washington State Chiropractic Association Lobbyist, provided a WSCA board and legislative update.

**17. CONSIDERATION OF A PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE**

**17.1** Ms. Nicole Li, The Li Law Firm, submitted a petition requesting that the Commission amend all administrative rules in [chapter 246-808 WAC](#) that refer to “auxiliary” staff, delegation, and supervision. Ms. Li stated that the amendments are needed for several reasons including “...wide-spread ignorance about the corporate practice of medicine as it applies to chiropractors”.

After a review of the relevant statutes by Mr. Gerard, the Commission passed a motion to deny the request because the Legislature has not granted the Commission authority to interpret the Professional Services Corporation Act (PSCA), [chapter 18.100 RCW](#). A letter will be sent to Ms. Li regarding the petition decision.

The Commission also decided to provide information on the corporate practice of medicine on the Commission website, with the addition of an FAQ on this topic.

**18. CORRESPONDENCE AND REPORTS**

The Commission acknowledged receipt of the following informational items.

**18.1** Licensee Statistical Report as of September 1, 2021.

**18.2** PowerPoint Slides - CLEAR Professional Discipline and Fitness to Practice Training shared by Dr. Wise

**18.3** Council on Chiropractic Education, Accreditation Actions, August 6, 2021

**19. ADJOURNMENT**

**19.1** The meeting adjourned at 10:41a.m.



November 18, 2021

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**Prepared By: Robert Nicoloff, Executive Director**

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**Date**



November 18, 2021

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**Approved By: David Folweiler, DC, Chair**

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**Date**