



WASHINGTON STATE
CHIROPRACTIC QUALITY ASSURANCE COMMISSION
BUSINESS MEETING MINUTES
November 18, 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, Rebecca Taylor, DC, and Jas Walia, DC. Judge Julie Spector (ret.) was not present.

Staff Present:

Bob Nicoloff, Commission Executive Director
Tammy Kelley, Commission Deputy Executive Director
Jenny Yeam, Commission Licensing and Compliance Manager
Betty J. Moe, Commission Regulatory Analyst
Christopher Gerard, Assistant Attorney General
Marlee O'Neil, Deputy Director, Office of Legal Services

OPEN SESSION – Thursday, November 18, 2021

9:00 a.m.

1. CALL TO ORDER – Dr. Folweiler, Chair

1.1 The agenda was approved as drafted.

2. INTRODUCTION

2.1 Betty Moe, Regulatory Analyst joined the Commission staff on October 18th. She will be focused on rules, policy, legislation, and budget to support the Commission.

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

3.1 The Commission leadership thanked attendees, Commission members and DOH staff for their virtual participation. The past 20 months would not have been possible without everyone working together.

4. APPROVAL OF MEETING MINUTES

4.1 The September 9, 2021 Commission meeting minutes were approved as drafted.

5. COVID-19 UPDATE - Dr. Folweiler

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

The Commission has received complaints related to licensee non-compliance with the mask and vaccination mandates. The Commission is coordinating with the Department of Health regarding the next steps to address these non-compliance complaints.

5.2 The Commission members reviewed and discussed the Washington Medical Commission position statement “[COVID-19 Misinformation](#)”.

Mr. Gerard shared his review of scope of practice based on [RCW 18.25.005](#).

The Commission, in consultation with Mr. Gerard, concluded that providing guidance on vaccines is not within the scope of practice of chiropractors in the State of Washington.

Commission members approved a motion to include information on the vaccination mandate in the Commission COVID-19 guidance document.

6. NATIONAL MEETINGS AND ACTIVITIES

6.1 The Commission discussed the following meetings:

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

Commission Members Registered: Ms. Bogni, Dr. S. Chan, Dr. Clum, Dr. Taylor, Dr. Wise

- CLEAR Webinar “Disciplining Practitioners for Off-Duty and/or COVID Misinformation Conduct”, held October 19th

Commission Members Registered: Ms. Bogni, Dr. Clum, Dr. Walia, Dr. Wise

7. UPDATE REGARDING THE CHIROPRACTIC X-RAY TECHNICIAN EDUCATION SUBCOMMITTEE – Dr. Clum, Subcommittee Chair

7.1 Dr. Clum discussed the first meeting of the X-ray Technician Education Subcommittee, which is focused on online and/or hybrid approaches for training Chiropractic X-Ray Technicians.

The Commission has received information from Dr. John Miller and Dr. Susan Vlasuk regarding both the benefits and challenges of different modalities of training.

The next subcommittee meeting is scheduled for December 9th. Notice will be sent to all subscribers on the Commission email list.

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

8.1 Mr. Gerard discussed the requirements in the Washington Open Public Meetings Act, [Chapter 42.30 RCW](#), and how the Commission complies with these statutory requirements.

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

9.1 Mr. Gerard discussed how *Robert's Rules of Order* is generally utilized by State boards and commissions.

10. SEXUAL MISCONDUCT RULE CHANGES UPDATE

10.1 Ms. Bogni shared the Rules Sub-Committee met to discuss the addition of the term “grooming” to the rule language. In their research it was impossible to define “grooming” without an element of intent.

The subcommittee recommended removing the language, with the understanding that grooming can be an element of sexual misconduct.

The Commission agreed to remove 1(d) and 2(a) be removed from the draft rule language. The motion was approved by all members of the Commission.

11. CONSIDERATION OF A REQUEST FOR LICENSEE LISTS AND LABELS – Tammy Kelley, Deputy Executive Director

11.1 The Commission reviewed and approved a request from Myokin Inc. as an educational organization who is approved to receive a list of licensees.

12. COMMISSION NEWSLETTER AND TRAINING PLANNING - Tammy Kelley, Deputy Executive Director

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

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

13.1 The following activities were discussed:

- **Revisions to the CQAC-DOH Joint Operating Agreement**
Recommended changes to the agreement will be developed by the Commission Executive Committee and presented at a future Commission meeting.
- **Commission representatives on the weekly legislative session conference calls.** Dr. Wise and Susan Bogni will continue to represent the Commission on the weekly calls.
- **Veterinary Board – Chiropractic Commission Task Force** – Mr. Nicoloff has been working to schedule the next meeting of the task force.

13.2 Current projects and activities in the Commission office were discussed.

Ms. Kelley shared that recruitment for the current staff vacancy will begin soon. Department of Health facility modernization impacting the Commission staff offices will begin in 2022.

14. NEW BUSINESS REQUESTS – Commission Members

14.1 No additional future agenda items were requested.

15. PUBLIC COMMENT

15.1 Members of the public had an opportunity to address the Commission.

Lori Grassi, Lobbyist, Washington State Chiropractic Association, shared information on possible 2022 legislation.

16. CORRESPONDENCE AND REPORTS

The following were informational items. The Commission acknowledged receipt of the items by a single motion without discussion.

16.1 Licensee Statistical Report as of November 12, 2021

16.2 Federation of Chiropractic Licensing Boards Fall 2021 Districts Meeting Highlights

16.3 Federation of Chiropractic Licensing Districts I and IV Meeting Roundtable Questions and Responses

17. ADJOURNMENT

17.1 The meeting adjourned at 11:32 am.



January 13, 2022

Prepared By: Robert Nicoloff, Executive Director

Date



January 13, 2022

Approved By: David Folweiler, DC, Chair

Date