LA BOARD OF CHIROPRACTIC EXAMINERS
SUMMARY OF MINUTES
BOARD MEETING – JULY 24, 2025

Members Present: Dr. Mark B. Kruse, President; Dr. Michael Traxler, Vice-President; Dr. Kelleigh Payne, Secretary-Treasurer; Dr. James Morvant; Dr. Denise Rollette; Dr. Shay W. Corbin; Mr. Rafael Azuara, Consumer Member.
Members Absent: None.
Staff Present: Patricia A. Oliver, Executive Director; Shellie Hebert-Schmidt, Administrative Assistant.
Legal Counsel: None.
Audience: Debbie Moore, DC, Picayune, MS; Zoelle Leon, D.C., Slidell, LA; Starr Villavasso, D.C., Slidell, LA; Justin Walbom, D.C., Baton Rouge, LA; Tim Chittom, CAL, Baton Rouge, LA.

Meeting called to order at 8:39 a.m., Dr. Mark B. Kruse, President, presiding.

PUBLIC COMMENT: None noted.

MINUTES REVIEW: The draft version of the **minutes** of the 04/17/2025 meeting was emailed to all Board members for review. Motion made by Dr. Corbin, seconded by Dr. Payne to ratify the minutes as prepared. With no objections, motion carries unanimously.

INTEGRITY CHECK: No information reported.

<u>**STANDING COMMITTEE REPORTS**</u>

- **COMPLAINT COMMITTEE REPORT by Dr. Traxler and Dr. Rollette**:
  - Dr. Traxler and Dr. Rollette report that 4 complaints were opened, -0- complaints were closed with no action, -0- complaints were closed with disciplinary action and there are 26 complaints pending Committee work and 1 complaint pending board action.
  - Regarding **Complaint # 1596**, Dr. Traxler reports a $250.00 fine was offered through consent agreement. Motion made by Dr. Traxler, second by Dr. Payne, to accept the consent agreement as presented. With 7 yeas, 0 nays, motion carries unanimously.
  - Discussion of a video received in the form of a complaint which contained no name or licensee information allegedly portraying the unlicensed practice of chiropractic. Ms. Oliver instructed to initiate a complaint through the Complaints Committee. Dr. Debbie Moore purports to have the name of the individual shown on the video.

- **FINANCE COMMITTEE REPORT by Ms. Oliver:**
  - **Monthly financial Statement:** Ms. Oliver discusses reports for April, May and June 2025. Motion made by Dr. Corbin, seconded by Dr. Rollette, to approve the reports as prepared and submitted. With no objections, motion carries unanimously.
  - **CD Report** discussed by Dr. Payne and Ms. Oliver. No new information.
  - **Financial Activity Log of Expense and Expenditures** was presented to and reviewed by the Board as well as all bank statements since the last meeting. All members reviewed the log and signed the cover sheet.
  - Ms. Oliver notes the updated "**deposit trends**" report is available for review. Dr. Kruse would like this item removed from future agendas until further notice.
  - **Budget Review**: No review given. Dr. Kruse asks this item be removed from the agenda until further notice.
  - **Cash Management Review Report** prepared by Ms. Oliver and presented detailing period of ending 06/30/2025.

- **PEER REVIEW COMMITTEE REPORT:** No activity to report.

- **STANDARDS & PRACTICES by Dr. Traxler and Dr. Kruse:**
  Continued discussion on the request regarding "**ballon nasal cavity adjustment**" by Ross Zahn, DC, Shreveport, LA. Dr. Kruse would like to gather more information on this topic, i.e. what school/s this adjustment is being taught, the science behind the adjustment, etc. Dr. Payne suggests the FCLB be a good source for info since it regulates specialty programs.

- **LAW & LEGISLATION:**
  - Dr. Corbin continues the discussion held on "**preceptorships**" based on initial request from Jennifer Sever, D.C., Metairie, LA. Dr. Corbin presented a "handout" of proposed guidelines and language. Suggestions made for edification as follows: "(a)(2) "the Louisiana Board of Chiropractic Examiners..."; delete item "(g) as presented but re-write (g) to read "as defined by the Louisiana Board of Chiropractic Examiners". Dr. Corbin will make the changes and provide the edited copy to Ms. Oliver for the record.
  - Ms. Oliver was contacted by the Governor's Office that Dr. Rollette requested assistance with our board's webpage. Governor's office suggested we secure access to the DOA's website on Boards and Commissions – Act 12 reporting system. Clarification provided to the Board by Ms. Oliver on reporting to Act 12 website and noted she has had reporting access to that website as required since 2009. It is the DOA's website for reporting information to the public for boards and commissions. It is separate from each board's individual informational website.
  - Request from Justin Walbom, D.C., Baton Rouge, LA, regarding requesting of a declaratory statement on "**soft chamber hyperbaric chamber therapy** with new atmospheric pressure limits. Dr. Walbom would like to increase atmospheric pressure limits from 1.3 ATM to 1.5 ATM. Dr. Kruse will contact Dr. Paul Harch for more information and asks Dr. Corbin to work on the research with Dr. Walbom.

- **TESTING Committee Report:**
  - Ms. Oliver notes the November 2025 administration of **NBCE's Part IV** will be 11/08-09/2025 and NBCE is soliciting examiner participants. Dr. Denise Rollette would like to participate as LA's representative. Ms. Oliver will send the necessary paperwork.
  - Dr. **Payne** will be participating in the NBCE **Part I test development** meeting in September in Greeley, CO.
  - **Testing report** handout given to the Board covering the period from 01/01/2025 – 03/31/2025:
    - 13 applications requested
    - 13 licenses issued
    - 12 new applications received, and fees paid
    - 15 applicants ready for an exam
    - -0- applicants pending background reports
    - -0- background information rejected by State Police/FBI
    - -0- application folders are incomplete
    - -0- application for Board review
    - 1 license pending issuance due to a lack of license fees paid.
    - 13 licenses issued

- **ADMINISTRATIVE OVERSIGHT Committee (Kruse, Traxler, Payne):**
  - Current leave records of **Ms. Hebert-Schmidt** and **Ms. Oliver** were reviewed and approved by Dr. Payne, and the full Board present reviewed and approved the leave and payroll records of the two employees. Dr. Payne states paperwork and leave records are in order and properly documented.
  - Regarding annual salary review of Ms. Oliver, the Administrative Committee noted the CPI was 2.3%. Motion made by Dr. Kruse, seconded by Dr. Corbin, to grant Ms. Oliver a 2.3% salary increase for July 1, 2025. With no objections, motion carries unanimously.
  - Regarding annual salary review of **Ms. Hebert-Schmidt**, the AOC notes her salary was not discussed, however, motion made by Dr. Traxler, seconded by Dr. Corbin to grant a 3% salary increase for July 1, 2025. With no objections, motion carries unanimously.
  - **Mr. Azuara**, Board's consumer member, suggests the use of **cameras** in the board office workplace as a future suggestion to determine how busy the board employees are.

- **OFFICE PERFORMANCE INDICATOR REPORT:** Office activity/work product 04/01/2025- 06/30/2025:
  - Phone calls received:268
  - Licensure Application packets requested & mailed: 13
  - New Applications Received w/Fee: 12
  - New Applications Ready to Take Test: 15
  - New Licenses Issued: 13
  - Complaints Filed & Opened: 4
  - Complaints closed without action: -0-
  - Complaints closed with action: -0-
  - Complaints Pending: 26
  - DC license renewals received & processed: 8
  - DC license renewals returned as “incomplete” or “missing CE”: -0-
  - Delinquent license renewal fees paid: 5
  - License verifications Requested/Reports Issued Via Mail: xxx
  - License verifications Requested/Report Issued Via Email: 152
  - New X-ray certificates issued: 4
  - X-ray certs renewed: 217
  - Public records requests: -0-
  - Subpoenas received: -0-
  - Seminars reviewed: 33
  - CE locate requests received: 12
  - List requests received and processed: 7
  - National licensee alerts received and logged: 3
  - Peer Review Requests: -0-
  - Dry Needling certificates issued: 1
  - Duplicate Licenses Issued: 1
  - Duplicate Xray Certificates Issued: 2
  - Duplicate Renewal Vouchers: -0-
  - License Renewal Cards Purchased: -0-
  - Blue Books purchased: -0-
  - Minutes Subscriptions: -0-
  - “Travel to Treat” temporary licenses: -0-
  - # of Emails Received: 687
  - Xerox copies requested: -0-

- **GENERAL CORRESPONDENCE as received by Ms. Oliver**:
  None.

- **SEMINAR REVIEW by Dr. Payne:**
  Dr. Payne has reviewed 33 seminars since the last meeting. There are no programs requiring full Board review currently.

OLD BUSINESS:

Continued discussion by Dr. Kruse on **Board’s webpage** and its maintenance and development. Dr. Kruse has pursued completing the bid process through the LA State Procurement Office to hire Netshapers for Board webpage design with the contract from January 2025. Ms. Oliver notes a new contract was received on 07/23/2025 for $117,000.00 fee and a monthly maintenance fee of $800.00 for 30 minutes of technical support each month. Ms. Oliver suggests since this is a change to the contract received in January 2025, a new contract approval is needed since the cost has changed since January 2025 contract paperwork received.

Continued review of existing **Board policies** by Dr. Kruse regarding with action as follows:

- **Standards & Practices –** delete this policy
- **Subpoena to Board members:** no change to this policy**.**
- **Travel to treat policy –** no change to this policy**.**
- **Testing policy of March 2000 –** delete the policy
- **Travel guidelines –** no change to this policy.

Continued discussion on possible future conducting of **background checks on all existing licensees**, not just new licensure applicants. Ms. Oliver notes approximately 70% of licensees have not been background-checked since these licensees were licensed prior to the legislative requirement. Motion by Dr. Traxler, seconded by Dr. Morvant, that the Board will not conduct background checks prior to the date of the law requiring the background check. With 6 yeas, 1 nay, motion carries.

Continued discussion by Dr. Kruse on **Executive Order JML 25-038** which requires all boards to review existing administrative rules and regulations to determine necessity of each rule. Ms. Oliver stated at the 04/17/2025 board meeting of the requirement to report on the purpose of each rule and regulation annually by 12/31, however, this year's report requires at least 50% of rules to be reviewed and the remaining 50% due by 07/31/2026. Dr. Kruse and Dr. Morvant will work together on this review.

NEW BUSINESS:

Request received from Attorney William Gibbens, attorney for **Ben Tekippe, D.C**., Metairie, LA, to request a delay of board action until federal court action is completed. Dr. Traxler states this should not be on the agenda and discussed in the Board meeting due to Complaints committee's work in progress.

Request from **Derek Bruner, D.C.,** Baton Rouge, LA, regarding scope inquiry of **"treatment of neuropathy or nerve pain**.". Ms. Oliver instructed to respond "yes" to all questions as long the treatment is associated with the functional integrity of the spine.

Communication received from **Kevin Lenderman, D.C**., Lafayette, LA, regarding the use of the term "DC" on his radio and print advertisements and his clinic name and requests clarification to not be in violation of any laws & rules. Mr. Tim Chittom, CAL ED, notes Act 362 by Mr. Lacombe dealt with advertising disclosures. Response to be sent to Dr. Lenderman that he must follow all statutes and rules regarding advertising.

Presentation of **2026 license renewal form** draft as prepared by Ms. Oliver. She notes only changes made are applicable dates. Motion made by Dr. Corbin, seconded by Dr. Traxler to approve the 2026 license renewal form. With no objections, motion carries unanimously.

Ms. Oliver notes request received from **Ben Savoie, D.C**., Lockport, LA, regarding license reinstatement. The Complaints Committee notes no action can be taken at this time.

Presentation by **Mr. John Walsh, attorney**, Walsh and Shows, for Board General Counsel position. His fees are $350.00/hour for legal services and representation. Former/current clients are CPA Board, Cosmetology Board, Secretary of State's Office, EBR Parish Clerk of Court.

Presentation by **Ms. Amy Lowe, attorney**, Taylor Porter Law Firm, for Board General Counsel position. Her fees are $275.00/hour for legal services and representation. Former/current clients are Psychologists Board, Nursing Facility Administrators Board, Private Security Examiners Board, administrative law hearing officer.

Ms. Oliver notes receipt of new contract for **legal representation from Celia Cangelosi**, Baton Rouge, LA. Ms. Oliver notes no changes to contract regarding fees. Motion made by Dr. Traxler, seconded by Dr. Rollette, to approve the contract. With 7 yeas, 0 nays, motion carries unanimously.

Dr. Traxler notes the necessity to amend the agenda to discuss offering a "**pay plan" for disciplinary fines**, fees, costs, etc. Motion made by Dr. Traxler, seconded by Dr. Corbin, to amend the agenda to discuss providing the option to licensees to pay complaints costs and fines over a period of time, i.e. a payment plan. Roll call vote: Mr. Azuara – Yes; Dr. Rollette - Yes; Dr. Payne – Yes; Dr. Corbin – Yes; Dr. Traxler – Yes; Dr. Morvant – Yes; Dr. Kruse – Yes. With 7 yeas, 0 nays, agenda is amended.

Dr. Traxler offers the ability of a licensee if needed to pay the Board for fines, costs, etc. in the complaint process with a "**pay plan**". It is decided the licensee can be given 3-6 months to pay fines, fees, and costs at the discretion of the Complaints Committee.

Annual Board Elections:
Dr. Traxler nominates **Dr. Payne** for secretary-treasurer. With no other nominations being heard, Dr. Payne is Secretary Treasurer by acclamation.
Dr. Payne nominates **Dr. Traxler** for vice president. With no other nominations being heard, Dr. Traxler is Vice President by acclamation.
Dr. Traxler nominates **Dr. Kruse** for re-election as president. With no other nominations being heard, Dr. Kruse is President by acclamation.

Upcoming Events:
- Annual Xray Certificate renewal deadline – 07/31/2025
- Next Board Meeting – 10/09/2025
- NBCE Part IV Testing – 11/08-09/2025
- Annual license renewal deadline, 12/31/2025.

Motion made by Dr. Kruse, seconded by Dr. Traxler, to adjourn. With no objections, the meeting is adjourned at approximately 11:25 a.m.

MEETING ADJOURNED 11:25 a.m.