

IDAHO BOARD OF CHIROPRACTIC PHYSICIANS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 2/1/2017

BOARD MEMBERS PRESENT: Mary Jo White, DC - Chair
Herbert W Oliver, DC
Charles H Coiner
John Downey, DC

BOARD MEMBERS ABSENT: Kathleen J McKay, DC

BUREAU STAFF: Tana Cory, Bureau Chief
Maurie Ellsworth, General Counsel

OTHERS PRESENT: Ryan Fitzgerald, Idaho Association of
Chiropractic Physicians

The meeting was called to order at 3:04 PM MST by Mary Jo White, DC.

NEW BUSINESS

REVIEW PROPOSED ASSOCIATION LEGISLATION

The Board reviewed the proposed legislation submitted by the Idaho Association of Chiropractic Physicians (IACP). The Board had the following concerns regarding the proposed legislation:

- 1) The Board's responsibility for promulgation of rules for the continued certification in clinical nutrition and their request for more specifics regarding this certification;
- 2) Proposed Idaho Code § 54-716, Administering Prescription Drug Products, the method of delivery, and the existing list to which oxygen will be added with language that oxygen will only be used for first aid;
- 3) Proposed Idaho Code § 54-716, paragraph 5: requested the IACP to remove "vitamins, minerals or over-the-counter substances in the treatment of the physician's patients";
- 4) Section 8 and proposed Idaho Code § 54-717, Certification in Clinical Nutrition, and the issue of accreditation and the lack of existing specific

accredited courses/programs, and distinguishing between accreditation and certification;

- 5) Proposed Idaho Code § 54-1734, "Possession of Legend Drugs" and the inclusion of this section: Mr. Fitzgerald said this was a necessary addition in order to have Chiropractic Physicians listed within the Idaho Board of Pharmacy's laws regarding a chiropractor's possession and use of such drugs;
- 6) The Board requested that a section be included regarding informed consent within proposed Idaho Code § 54-716. Mr. Fitzgerald said the IACP will be working on this after they also complete proposed legislation for devices used by chiropractors. Dr. White asked if it would be possible to include informed consent in the Board's rules and Mr. Ellsworth said that a provision could be added to the statute allowing the Board to develop rules with an informed consent requirement to apply to the clinical nutrition provision within the statute. Ms. Cory said informed consent could be added under the powers and duties of the Board so it would apply to the entirety of the scope of practice. Mr. Ellsworth said it was important that informed consent accompany this proposed statute so the Board could then promulgate appropriate rules. Dr. White explained the process of informed consent and that the form a patient would sign includes the risks associated with the procedures.

Ms. Cory read an email from Dr. McKay regarding her comments on the proposed legislation from IACP.

Mr. Fitzgerald said he worked with Chairman Wood regarding the language on Certification in Clinical Nutrition and the issue of accreditation. He also explained why the section on legend drugs needs to be included in the proposed legislation. Dr. White said that there is not an existing accredited educational institution that offers the courses that would be required for the certification listed in the proposed legislation. Mr. Fitzgerald said the IACP is working with accredited institutions to put these courses in place.

Dr. Downey made a motion to have the Chair prepare a letter to the House Health & Welfare Chair stating that accreditation of institutions and specific accredited programs and informed consent are issues that need to be addressed in the proposed legislation. If it passes and the Board is asked to administer it, clarification on these issues would be important. The Governor's Office would also need to review it so they are aware of the comments and a copy would also be sent to the IACP. It was seconded by Dr. Oliver. Motion carried.

ADJOURNMENT

Dr. Oliver made a motion to adjourn the meeting at 3:57 PM MST. It was seconded by Dr. Downey. Motion carried.

Mary Jo White, DC, Chair

Kathleen J McKay, DC

Herbert W Oliver, DC

Charles H Coiner

John Downey, DC

Tana Cory, Bureau Chief