

MINUTES

INDIANA BOARD OF CHIROPRACTIC EXAMINERS

January 10, 2019

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Davis called the meeting to order at 9:08 a.m. at the Indiana Government Center South, 402 West Washington Street, Room W064, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

Board Members Present:

David Davis, D.C., Chairman
Marian Klaes, D.C.
Derek Dyer, D.C.
Michael Phelps, D.C.

Board Members Not Present:

John Bernzott, D.C.
Diane Vuotto, D.C.
Vacant, Consumer Member

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Heather Hollcraft, Assistant Board Director, Professional Licensing Agency
Nicole Schuster, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF AGENDA AS AMENDED

A motion was made and seconded to adopt the agenda, as amended.

DYER/PHELPS
Motion carried 4-0-0

III. ADOPTION OF THE MINUTES FROM THE OCTOBER 11, 2018 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes from the October 11, 2018 meeting of the Board.

KLAES/PHELPS
Motion carried 4-0-0

IV. PERSONAL APPEARANCES

A. APPLICATION

1. Nicholas Lee Herbert, D.C.

Dr. Herbert appeared before the Board, as requested, regarding his application for chiropractic licensure by endorsement. Dr. Herbert did not answer affirmatively to any

questions on the application for licensure. However, there were two records found on Dr. Herbert's criminal background check. Dr. Herbert stated that on October 12, 2005 he was arrested and charged with Possession/Consumption of Liquor by a Minor in Putnam County, Illinois; and on October 26, 2006, he was arrested and charged with Illegal Consumption of Alcohol in Putnam County, Illinois. Dr. Herbert entered into a Pre-trial Diversion in both instances and was required to complete ARM as ordered by the courts. Dr. Herbert stated that he did not realize he should have responded positively since he was not convicted of a Misdemeanor. Dr. Herbert is a 2014 graduate of National University of Health Sciences and plans to practice in Michigan City, Indiana.

Board action: A motion was made and seconded to grant Dr. Herbert a chiropractic license upon successful completion of the Indiana jurisprudence examination.

KLAES/PHELPS
Motion carried 4-0-0

2. George Richard Meluch, D.C.

Dr. Meluch appeared before the Board, as requested, regarding his application for chiropractic licensure by endorsement. Dr. Meluch answered affirmatively to the question on the application that asks "Has disciplinary action ever been taken regarding any health license, certificate, registration or permit you hold or have held?" Dr. Meluch explained that in 1998, he had entered into a brief relationship with an adult female patient. A complaint was filed with the Michigan Board of Chiropractic and he was issued a six (6) month probation. Dr. Meluch assured the Board there have been no other issues since that time.

Board action: A motion was made and seconded to grant Dr. Meluch a chiropractic license upon successful completion of the Indiana jurisprudence examination.

PHELPS/KLAES
Motion carried 4-0-0

B. PROBATION

1. Matthew Schulz, D.C., License No. 08002297A

Dr. Schulz appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Schulz stated there have been no changes since his last appearance. The Board stated they are pleased with Dr. Schulz's progress and commended him on how well he looked. Dr. Schulz is scheduled to appear at the January 2020 meeting of the Board.

V. DISCUSSION

A. Proposed Rule Review

Re: Dry Needling

The Board discussed the proposed rules regarding changes in the continuing education requirements and dry needling.

Board action: A motion was made and seconded to accept the proposed rule as proposed regarding changes in the continuing education requirements and promulgating rules for dry needling. Requested to begin the rule promulgation process.

DYER/KLAES
Motion carried 4-0-0

B. Adoption of Second Emergency Rule Under HEA 1245 (2018)

The Board discussed the readoption of the emergency rule under HEA 1245 for an additional ninety (90) days.

Board action: A motion was made and seconded to re-adopt the emergency rule under HEA 1245 for an additional ninety (90) days.

DYER/KLAES
Motion carried 4-0-0

VI. PROBATIONARY REPORT

There were no probationary reports before the board.

VII. CONTINUING EDUCATION

There were no continuing education applications before the Board.

VIII. OLD/NEW BUSINESS

There was no old or new business before the Board.

IX. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Board of Chiropractic Examiners adjourned at 9:55 a.m. by general consensus.



David D. Davis, D.C. – Chairman

5/2/15
Date