

FCLB Annual Meeting Report – October 2009

Oregon Board of Chiropractic Examiners

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Submitted by:

Joyce McClure DC, Oregon FCLB Alternate Delegate, Board Vice President

7 Board members (5 DC, 2 public)

Legislatively Approved Budget for 09-10 fiscal year: \$656,671

5 staff, including one investigator, 4.5 FTE

1408 Active licensed chiropractic physicians, 332 Inactive chiropractic physicians and 873 certified Chiropractic Assistants

List your Board's three major achievements this past year.

1. Complaints Received Drop 24%. The OBCE received 95 complaints/cases in 2007 and that dropped to 72 in 2008. This trend appears to be continuing in 2009. However, our investigator is busier than ever since many of the complaints we do receive require intensive investigation.

2. Progress Towards Revamped Ethics & Jurisprudence Exam. Following our goal of revamping this exam using the Minnesota B.C.E.'s format, we had an Exam Writing Workshop in June attended by forty chiropractors and staff. Currently we are working to put this exam on line utilizing the platform of Mycourse.com (and guided by Stephen Foreman DC's help and advice). We still have to beta test our new exam items and then we hope to have the new exam up and running by the first of the year.

3. Malpractice Action Reporting & other legislation. The 2009 Oregon Legislature approved our proposal (HB 2240) to add chiropractic physicians to the malpractice reporting statute. This requires malpractice carriers to report pending and closed claims to the Oregon Board of Chiropractic Examiners. Then we are required to report closed claims on our web page, but only if they result in a judicial finding or admission of liability or a money judgment, award or settlement that involves a payment to the claimant.

HB 2059, Cross profession Duty to Report. This new law requires our licenses (DCs and CAs) to report "prohibited or unprofessional conduct" of other health licensees to those respective health professional licensing boards "without undue delay: but within 10 days." Reporters are immune from civil liability. **Criminal conviction reporting:** A licensee convicted of a misdemeanor or felony or arrested for a felony must report to their board within 10 working days or face sanctions.

What are the most pressing concerns you have?

1. Proposed Consolidation of Health Regulatory Boards. In response to continuing budget cutbacks, the Governor has requested consideration of consolidation (or in a few cases) elimination of various boards and commissions. Currently, we are a small stand alone state agency. Before 1993 we were housed in a larger state agency which controlled our accounting and licensing systems causing major delays and inefficiencies. Our concerns with consolidation would be whether we could continue to have dedicated investigative staff given our workload, our customized licensing & complaint databases, and the autonomy that we feel has helped make us a successful agency. We're also concerned that we may have to pay for additional layer/s of large agency management.

What FCLB Services Does Your Board Use Most?

We use CIN-BAD for licensing check purposes. Our Board members benefit from the regional and annual meeting discussion. The Powerpolls sometimes provide us with useful information.

What Services Would You Like To See The FCLB Offer?

The FCLB could help highlight some of the public protection challenges that cross state lines. For example, our Board challenged two AtlasProfilax practitioners in Oregon, but we know there are others in four or five other states. And more recently we have taken action against an unlicensed practitioner of Alphabiotics, which features the Crane Condyle Lift maneuver as its centerpiece.