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**FLORIDA** | Board of Chiropractic Medicine

DRAFT MINUTES

March 11, 2015

Teleconference

Department of Health

4042 Bald Cypress Way

Tallahassee, FL 32399-3257



Kevin Fogarty, D.C., F.I.C.A. (hon.)

***Chair***

Danita Heagy, D.C.

***Vice-Chair***

Joseph Lesho

***Program Operations Administrator***

1 **General Board Business started: 12:35 p.m.**  
2

3 I. The meeting was called to order by Dr. Fogarty, Chair, at approximately 12:35 p.m. Those present for all or part of the  
4 meeting included the following:  
5

6 **MEMBERS PRESENT:**

7 Kevin Fogarty, D.C., F.I.C.A. (hon.), Chair  
8 Danita Heagy, D.C., Vice Chair  
9 Julie Hunt, D.C.  
10 Ken Dougherty, D.C.  
11 David Colter, Consumer Member  
12 Ruth Pelaez, Consumer Member  
13

**STAFF PRESENT:**

Joseph Lesho, Program Operations Administrator  
Michele Jackson, Regulatory Supervisor  
Zohre Baharayni, PhD, Management Analyst – Psychometrician  
Kheyndra Knowles, Government Operations Consultant I

14 Christopher Fox, D.C., A.T.C., was excused from the meeting by Dr. Fogarty, Chair.  
15

16 **BOARD COUNSEL:**

17 Deborah Bartholow Loucks, Assistant Attorney General  
18 Office of Attorney General  
19

20 Also present were the following representatives from the **National Board of Chiropractic Examiners (NBCE):**  
21

22 Dr. Martin Kollasch  
23 Dr. Bruce Shotts  
24 Jungnam Kim  
25 Jamie Fitzgerald  
26 Dr. Sal LaRusso  
27

28 Dr. Lili Montoya from the **Florida Chiropractic Conferences (FCC)** was also present.  
29

30 No court reporter was present  
31

32 *Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from*  
33 *this meeting can be found online: <http://floridaschiropracticmedicine.gov/>*  
34

35 **II. DISCUSSION**  
36

37 a. Florida Board of Chiropractic Medicine Laws and Rules Examination  
38

39 **Discussion:**  
40

41 Dr. Baharayni explained that the department would like for the development and administration of the Laws and Rules  
42 examination, required by Rule 64B2-11.001, F.A.C., to be moved from the department to NBCE. She explained that many of  
43 the processes will remain the same if this transition is approved, including item development by licensed chiropractors. She  
44 stated that the department has an item bank for examination development purposes that will be transferred to NBCE as part of  
45 the proposed transition.  
46

47 Dr. Kollasch stated that he was in agreement with Dr. Baharayni, and then asked if there would be a mandated timeframe for  
48 the licensed chiropractors in regards to the item development. Dr. Baharayni stated they generally meet every year and a half,  
49 but it depends on how many changes need to be made.  
50

51 Dr. Kollasch then asked if the item development meetings could be conducted electronically or virtually, to which Dr.  
52 Baharayni replied that it could be done as long as the security and confidentiality of the examination is maintained. Dr.  
53 Kollasch then stated that NBCE has measures in place to protect such information.  
54

55 Dr. Kollasch then asked if a review of missed items would be mandatory. Dr. Baharayni replied it would be up to the vendor.  
56

1 Mr. Colter addressed Ms. Loucks and asked if there were any laws and rules that prohibit the administration of the  
2 examination at the vendor's testing site. Ms. Loucks explained that the rules that govern the conduct of the testing site are  
3 actually department rules, not board rules, and that the issue could be addressed by the contract management team.  
4

5 Mr. Colter then asked what the cost would be to the examinee if the proposed transition is approved.  
6

7 Dr. Kollasch stated that the current fee is \$55. He also stated that Pearson VUE, NBCE's current vendor that would  
8 potentially be used to administer the Laws and Rules examination, charges \$45 for one hour of seat time, and \$53 for an hour  
9 and a half of seat time. He then asked if the board had any requests for pricing.  
10

11 Dr. Heagy emphasized that she does not want to see the cost to the applicant increased, and asked if the quoted pricing  
12 included costs associated with administration and development. Dr. Kollasch replied that the quotes do not include those  
13 costs, but such costs would not be significant because of the existing item bank that will be transferred by the department.  
14

15 Dr. Heagy asked for an estimate, and Dr. Kollasch said that based on an estimate of 200 applicants per year, they would  
16 likely incur 200 hours of administrative time, which would equal about \$50 per applicant.  
17

18 Dr. LaRusso explained that it is difficult to know what the costs will be at this time, but after a year or two of development  
19 and administration, an actual cost could be calculated.  
20

21 Dr. Heagy then asked what the estimated turnaround time would be between the time the applicant sits for the examination,  
22 and when they would be notified of their results. Dr. Kollasch explained that a provisional score will be provided  
23 immediately, and a final score will be provided to the applicant within 2 weeks after a final review is conducted.  
24

25 Dr. Kollasch emphasized that NBCE is not looking for a profit, but also does not want to take a loss. He said that he believes  
26 that they can keep the costs close to where they are currently. Dr. LaRusso recommended that the fee remain the same as it is  
27 currently, at least for the first year while they analyze the costs.  
28

29 Dr. Fogarty asked if the test would be taken on demand at the applicant's convenience, and the answer was yes. He then  
30 asked any other board members had questions.  
31

32 Dr. Dougherty asked when the proposed change will take place if approved, and Dr. Baharayni stated that it would be at the  
33 start of the next fiscal year—July 1, 2015. Mr. Kollasch then clarified that NBCE would need at least 6-8 weeks for quality  
34 checks and review of the item bank before implementation.  
35

36 Dr. Heagy asked if the board or department would be required to obtain bids from other vendors, and Dr. Kollasch stated that  
37 they already have a contract in place with Pearson VUE, and they also have worked with Prometric in the past. Ms. Knowles  
38 wanted to know when NBCE would know which vendor they would be using because she was concerned about transferring  
39 eligible applicants from the old vendor to the new one, and Dr. Kollasch said they would know almost immediately upon  
40 approval. He also said that Pearson VUE could start accepting eligibility prior to administering the first examination, but  
41 applicants that have already registered with Prometric will still be able to take the examination as scheduled.  
42

43 Ms. Knowles then explained that the department does not currently have a contract with NBCE for the administration of the  
44 National Examination, and asked if the department could handle the Laws and Rules examination in the same manner. Dr.  
45 Kollasch said that would be fine.  
46

47 Dr. Baharayni asked who would receive the item bank, and Dr. Kollasch said that NBCE will provide the department with  
48 access to a Secure FTP site which will be used to transfer the data.  
49

50 Dr. Heagy asked Ms. Loucks if the board would retain any control over the examination, and Ms. Loucks said that the board  
51 would still have the ability to set the minimum passing score.  
52

53 Ms. Pelaez asked how chiropractic students would be notified of the change, and how would the change be implemented.  
54 Drs. Kollasch and Baharayni each stated that an information booklet will be disseminated through both the NBCE and board  
55 websites.  
56

57 Mr. Colter asked what differences the students would see if the proposed transition were approved, and Drs. Baharayni and  
58 LaRusso each agreed that approval would make it more convenient for the students to take the examination.

1 After additional discussion, Dr. Fogarty asked for a motion.  
2

3 **Action taken:** Motion to transfer the Laws and Rules examination from the Department of Health to the National Board of  
4 Chiropractic Examiners made by Dr. Dougherty, seconded by Dr. Heagy.

5 Vote: 6 yeas / 0 opposed; motion carried  
6

7 Ms. Loucks informed the board that there may possibly be rule changes involved with this transition, and that information  
8 will be presented at the April 10, 2015 full board meeting. She then asked the representative from NBCE what the procedure  
9 would be for applicants that request to take the test in another language. Dr. Kollasch explained that there is a significant cost  
10 associated with uploading the examination in another language, but a translator could be used if requested.  
11

12 Hearing no further discussion, Dr. Fogarty asked for a motion to adjourn the meeting. Dr. Heagy made the motion, which  
13 was seconded by Dr. Hunt.  
14

15 **General Board Business concluded at 1:08 p.m.**  
16

17 The meeting was adjourned at 1:08 p.m.