

Oregon Board of Chiropractic Examiners (OBCE) Public Notice & E-Newsletter Update

September 2, 2016

- President's Report
- Executive Director's Report
- Welcome New Board Member
- Public Notice – Board Meeting and 2016 Meeting Schedule
- License Renewal and Continuing Education
- From Our Investigators

President's Report



Greetings, colleagues! This past January, the Oregon Board of Chiropractic Examiners (OBCE) elected me to be the board President. As such, it is my privilege to not only guide the board through its important business on behalf of the citizens of Oregon, but also to share some information with you in this President's report.

My name is Jason Young and I have been in private practice since graduating from the University of Western States (then Western States Chiropractic College) in 2007. While I was still in school, Dave McTeague, our past Executive Director for this board, told me that he was going to try to talk me into joining the OBCE once I had 5 years of practice under my belt. True to his word, he contacted me on my fifth anniversary of practice. The Governor appointed me, and the good people of Oregon have been stuck with me ever since.

I practice in Corvallis, the home of Oregon State University (GO BEAVERS!). For the past 5 years, I have had the privilege of being the chiropractor for OSU athletics, adjusting athletes from all of the sports. Otherwise, I imagine my

practice is very much like yours. I have 4 great kids and a wonderful wife who are my motivation for everything I do.

In my years of service on the OBCE, I have learned a great deal about our profession and people in general. I've been able to rub shoulders with some really great chiropractors, public board members, executive directors, staff, and many others. One thing that many chiropractors do not realize about the OBCE is that it is not a body that advocates for chiropractors. We work in the interest of public safety and the public interest. Sometimes, this means sanctioning people who abuse the privilege to practice through negligence or malfeasance.

However, the availability of chiropractic services is also a public safety issue that we take seriously. We are aware of the role chiropractic should, and does, play in the healthcare system in Oregon.

I would like to share with you 3 of the greatest lessons I have learned in my time of service so far. Maybe they will help you to enjoy a more meaningful, more patient-centered, practice and to avoid run-ins with the board.

- 1) **Don't isolate yourself.** One observation I have made is that the docs who tend to get into trouble the most are usually pretty isolated from their colleagues. It's a good practice to find a few practitioners or even a group or organization where you can discuss ideas and problems as they arise. If you have a situation where a patient has an odd problem or has done something unusual, it is helpful to

get the advice of other doctors. Chances are, you aren't alone in your experience and a good colleague can help steer you in the right direction. Join the state association (Oregon Chiropractic Association), a social media group for chiropractors, a message board, e-mail list, or just call a nearby doc and take them to lunch. A little help goes a long way.

2) **Patients first!** Our doctor-patient relationships supersede all other relationship that we may have with an individual. You must always work with the well-being of your patient in mind. Remember, if you treat a member of your staff or a colleague or anybody else, you have the same duties to them as you would any other patient you work with. Be the doctor your mother thinks you are.

3) **Get involved!** Sometimes it can be very frustrating to hear criticism about what the board is doing from people who don't care to ever get involved. We have public meetings every other month. If there is something you feel passionate about, show up to a meeting! If you can't make it, then write us a letter! If you don't have a stamp, send us an email! We welcome feedback and insights that we may not have considered before to help guide our decision-making. One of the reasons I was even interested in being on the OBCE was because I had a positive experience when I presented a possible change to a rule that the board accepted. Even though I had only been in practice for 3 years at the time, it was awesome to think that my voice and my ideas mattered. There really isn't anything that special about me. Your voice and your ideas matter too – get involved!

Hopefully these have been some helpful insights for you. Oregon is a great state to practice chiropractic. THANK YOU all for what you do for your patients.

Sincerely,

Jason Young, DC, MSHNFM
President, OBCE

Executive Director's Report



As this summer comes to a close and fall is upon us, we at the OBCE wanted to share a few items with you.

In Memoriam – Dr. Ann Goldeen

The OBCE mourns the loss and pays tribute to Board member Dr. Ann Goldeen who passed away on January 24, 2016. Her tireless work on behalf of public safety and upholding the highest standards for the chiropractic profession will be remembered dearly. <http://www.dailyastorian.com/obituaries/20160127/obituary-ann-goldeen>

Public Interest

The OCPUG (Oregon Chiropractic Practices and Utilization Guidelines) Committee has been working diligently for the past 2 years to bring the OCPUG up to date to modern standards. The Board anticipates a final version by the end of this year. Thank you to Dr. Daniel Côté for initiating the efforts as OBCE's past chair. Thank you to all the members of the Committee for their passion, patience, and indomitable spirit in bringing this document forward. And a special thank you to Dr. Joyce McClure for chairing the Committee during this time – not an easy, nor stress-free endeavor. Well done, all!

Fiscal Responsibility and Accountability

Through SB 230 (2015) and the resulting ORS 676.410, the OBCE and its licensees, among most other health licensing regulatory boards, are required to participate in the Oregon Health Authority's Healthcare Workforce Reporting Program, as described below. As such, you will be seeing a link to its questionnaire among your renewal application materials (either online or on paper). OHA is charging the OBCE \$2.00/licensee annually for data collection and analysis. However, at its November 2015 board meeting, the OBCE voted to *not* increase license renewal fees at this time.

Due Process, Fairness, Transparent Governance

We continue to work closely with the National Board of Chiropractic Examiners in updating and providing Oregon's OB/GYN, Proctology and Minor Surgery Exams. This delegation will provide more availability in testing during the year, higher efficiencies in scoring and reporting, and will enable our staff to focus on their other duties. In January 2017, the Board will analyze the results of this delegation to determine whether delegation of our Ethics and Jurisprudence Exam to the NBCE would provide the same benefits and efficiencies to both the test-takers and to OBCE staff.

We've heard your concerns regarding our posting of our meeting minutes online and are addressing that issue. Being short-staffed has been a bit trying on our resources, but we're making headway. Of note is that a meeting's minutes need to go through the review and approval process by the Board so by the time they are posted to our website, they are usually at least two months "old" – meaning there's at least a two month turnaround time from when the meeting occurs to when the minutes are available. If you have any questions about this or any other matter, please don't hesitate to contact us.

Take good care,

Cassandra C. Skinner, J.D.

Executive Director, OBCE

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WELCOME NEW BOARD MEMBER!

WELCOME DR. FRANCESCA VERMILLION as the newest member of our board!



Dr. Francesca Vermillion, hails from Western New York. She attended undergraduate in Denver CO, where her major was in molecular biology. The beautiful greenery of Oregon is what attracted Dr. Vermillion here for her graduate training at the University of Western States in 2002. After her graduation in 2006, she decided to stay and make a living in Portland OR. Currently she supervises a clinic with the University of Western States. In her free time, she likes hiking, lifting weights, running, and spending time with her step-kids, husband, and dogs.

PUBLIC NOTICE - OBCE September Board Meeting and 2016 Schedule

The Board's September meeting will be held on September 22-23, 2016, at the Grand Hotel, 201 Liberty St SE, Salem, Oregon.

The Public meeting will begin at 12:30 p.m. The OBCE public agenda will be posted on the OBCE web page: www.oregon.gov/obce

The Board's Executive Session is scheduled to begin at 8:30 a.m. on September 22, 2016, to review health professional license investigations (ORS 192.660(2)(j)), contested cases, personnel matters, and receive legal advice (ORS 192.660(2)(h)). The Board will vote in Public Session on "In the Matters Of."

The meeting schedule and locations for the rest of 2016 are as follows:

Nov 17 Portland/UWS (Hampton Hall)

License Renewal and Continuing Education **REMINDERS**

Active Doctors of Chiropractic, do not forget that you have the **two (2) hours Record Keeping CE** to complete and report to the OBCE by December 31, 2016. Licensees renewing for the first time in 2016 are exempt. The list of pre-approved courses is linked to the OBCE's Continuing Education page <http://www.oregon.gov/OBCE/Pages/Cont-ed.aspx> and found under 2016 Mandatory CE for Doctors...Look for the link: "CLICK Here for Approved Courses." NO OTHER COURSES will meet the mandate unless they are pre-approved by the OBCE between now and December 31, 2016.

Oregon Health Authority Workforce Questionnaire – Legislatively mandated

*ALL Doctors (active and inactive) this is an **IMPORTANT** message related to your license renewal.*

In 2015, the Oregon Legislature mandated that all Oregon healthcare providers complete a questionnaire about their specific chiropractic practice. You may read the particulars of ORS 676.410 by clicking on this web link – [ORS 676.410](#).

All active and inactive Doctors of Chiropractic need to complete the survey; your annual renewal is dependent on completion. If you do not complete the survey (with valid data), the OBCE cannot verify your compliance, or issue your Oregon chiropractic license.

At the time the OBCE sends your EMAIL Renewal Notice you will also receive an email with this link to the Questionnaire:

<https://oregondas.allegiancetech.com/cgi-bin/qwebcorporate.dll?idx=DVHRG2>

You may, of course, complete it any time prior to your renewal.

The OBCE is working to have the Questionnaire inserted as part of the Online Renewal Application - where you log in, are directed to the survey, and then returned to the OBCE Renewal app. While this is *NOT YET*

AVAILABLE, you may access the link above, and provide your valid responses. You will need to send a separate confirmation to the OBCE that you have completed the survey (there is a completion code provided).

Chiropractic Assistants, as many of you know the OBCE has made a couple changes in the past year. Here is a reminder of those changes.

1. Everyone applying for CA certification must be fingerprinted during the process. STOP! Do NOT get fingerprinted before you complete your training and submit all of the CA application forms! As part of the application process, the OBCE will provide specific instructions. After you receive those instructions, you may get fingerprinted. This link, http://www.oregon.gov/OBCE/Pages/ChiroAsst_NEW.aspx, provides all of the CA application information you may need.
2. All new CAs are required to complete two (2) hours in vitals training (with hands-on training) by their second renewal. The employing DCs may provide this two hour training, AND 20 hands-on experiences. The prescribed form for the hands-on portion can be found on the OBCE's Continuing Education page - <http://www.oregon.gov/OBCE/Pages/Cont-ed.aspx>. If the doctor does not wish to perform the training, there are scheduled classes available. Again, visit the OBCE's CE web page.
3. In relation to the above requirement, any CA who has NOT yet renewed their expired July 31, 2016 certificate will still need to complete the two hours training and hands on in Vitals as part of their six (6) hours CE in order to renew.

PS: Renewing a CA license at this point requires the completed Renewal Notice, the \$75 renewal fee, a \$50 late fee, and proof of CE. As of September 1, 2016 CA's may NOT practice until their certificate is renewed.

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From Our Investigators

At a recent meeting of the Board, representatives of insurance companies came to address a practice they've observed among some Oregon Chiropractors. When billing for massage services, especially for patients utilizing personal injury protection coverage, insurance companies have noted a wide divergence between the price billed directly to patients and the price billed to insurance. A typical example provided was that on average, a one-hour massage was billed directly to the patient at \$60. The same time unit of massage was typically billed to insurance at more than double that rate.

Chiropractors may offer a time of service discount to patients. That discounted rate reflects the savings of not having to prepare bills to insurance, staff time in their preparation, and the delay in obtaining payment from insurers. The Board recognizes the overhead required for submitting billings to insurance, and that said, overhead would differ across the state, and across practices, for a variety of reasons. The Board cannot give guidance on a specific multiplier or percentage increase that is acceptable because of the above-mentioned variables. In our conversation with insurance companies, they recognized that there is overhead related to billing, but hoped to see the difference between the two rates be reasonably related to that overhead, rather than what, as they expressed, appeared to be an automatic doubling or tripling of massage fees, based solely on whether the patient paid cash or the service was billed to insurance.

This information is offered strictly to assist Oregon Chiropractors. The Board does not get involved in billing issues, or the selection or use of billing codes between doctors and insurance providers, other than when allegations of fraud are raised. However, it is an issue that Board staff is often asked to comment on both from Chiropractors and from insurance representatives. The Board can only provide information regarding the Board's rules. However, insurance companies have expressed that they may deny billings for massage where they determine that the clinic offers a time of service discount significantly lower than what is billed to insurance. The Board offers this information *solely* to assist Chiropractors in examining their practices to avoid any misunderstanding and delays.

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