





## Introduction

The Maryland State Board of Chiropractic Examiners (the "Board") remains dedicated to its mission of protecting healthcare for the citizens of Maryland. Fiscal Year 2022 (FY 2022) proved almost as challenging for the Board in carrying out this mandate as did FY 2021. There were significant lessons learned and growth opportunities identified to enhance service to the public and licensees as we tackled those challenges.

As the nation and the Board slowly resumed life post the COVID-19 pandemic, the Maryland Department of Health experienced a security incident on or about December 4, 2021. This security incident significantly impacted the operations of the Board, as computers were encrypted and access to the internet and crucial databases and files were disrupted. Board staff was able to expeditiously identify and creatively implement work-arounds to restore operations in mid-December 2022. Some of those workarounds required both Board Members and Board Staff to adopt new procedures and to acquire new technology skills to better serve stakeholders.

Throughout calendar year 2022, the Board's IT support staff, in collaboration with Board staff and other entities, has worked tirelessly to identify options to reconnect our systems to a secured network. 2023 looks very promising!

## Board Operations

The Board's operations are separated into three distinct units:

1. **Licensing Unit** - processes applications for initial licensure/registration, reinstatements, reactivations and renewals. The Unit also processes requests to employ chiropractic assistant trainees.
2. **Compliance Unit** - is responsible for the Board's disciplinary process and investigates complaints for possible violations of the Act. This unit also monitors compliance with board orders when a DC or CA is disciplined.
3. **Administrative Unit** - is responsible for the fiscal operations of the Board, processing all incoming mail, revenue deposits, incoming telephone inquiries, publication of the Board Meeting agendas and minutes on the Board's website, and other administrative functions.

## Board Member Activities

The Board maintains membership in several national chiropractic and other organizations including the Federation of Chiropractic Licensing Boards (FCLB), the National Board of Chiropractic Examiners (NBCE) and the Federation of Associations of Regulatory Boards (FARB). It is recognized for its contributions to the chiropractic profession through participation in national conferences, and assisting with the development of standardized testing for individuals seeking licensure as chiropractors. In FY 2022, Board Members served on the NBCE Part IV Practical Examination Test Development



Committee; attended the FCLB and NBCE 2022 Annual Conferences, the FCLB District III meeting and administered two NBCE Part IV Examinations.

### **Board Member and Staff Development and Training**

Board members and Board Staff continue to enhance their regulatory knowledge and leadership skills to ensure the Board functions efficiently. Training completed include Incident Command System Prep; FEMA Security Incident Management Modules; Implicit Bias; the MDH Leadership Development Program; Presentation Skills for Leaders and FARB seminars and workshops.



### **Fiscal Position**

Revenue generated from licensure and registration fees support the operating costs of the Board. The fund balance at the start of FY 2022 was \$222,375.17, a carryover from FY 2021. Revenue collected in FY 2022 was approximately \$761,658.00, resulting in available operating funds of \$984, 033.17. A significant portion of the revenue (\$645,329.00) was collected during the license renewal period.

Appropriations (budgeted expenses) for FY 2022 were \$558,777.00. Expenditures through June 30, 2022 totaled \$465,621.93.

## **LICENSING UNIT REPORT**

The Licensing Unit processes initial license, renewal, restatement and reactivation applications, and responds to inquiries from potential licensees and registrants who are considering practicing in Maryland. Staff is shared by the Chiropractic Board and the Massage Therapy Board to assist chiropractors, chiropractic assistants, massage therapists and registered massage practitioners. The unit also processes requests to employ chiropractic assistant trainees and monitors their progress through the one-year training program.

The Licensing Unit team is comprised of the Licensing Unit Manager, the Chiropractic Licensing Specialist, and the Massage Licensing Specialist. In January 2022, the Chiropractic Licensing Specialist retired after over twenty years of service to the Board. A new Chiropractic Licensing Specialist was hired in May 2022.

### **Licensing Statistical Information**

In FY 2022, forty-five (45) new licenses were issued to chiropractors, and one hundred (100) chiropractic assistants qualified for registration. At the conclusion of FY 2022, there were nine hundred, twenty-nine (929) active chiropractors and six hundred, ninety-six (696) registered chiropractic assistants.

### License and Registration Statistics as of June 30, 2022

Licensee Category	Status	Numbers
Chiropractor	Active	929
Chiropractor	Inactive	50
Chiropractic Assistant	Active	696
Chiropractic Assistant	Inactive	36

Despite the lack of direct connection to a network, the Board staff was able to seamlessly process applications, request to employ and administer the Board's Jurisprudence examination to qualified applicants.

### Implicit Bias Training as a requirement for License/Registration Renewal.

Several emails were sent to the licensees/registrations reminding them of the need to comply with Senate Bill 5 and House Bill 28, which was passed by the Maryland General Assembly in 2021. This law requires all licensees/registrants to complete an approved Implicit Bias Training Program prior to their first renewal after April 1, 2022. This is a one-time only requirement.

### COMPLIANCE UNIT REPORT

In addition to issuing licenses and registrations, the Board investigates complaints, disciplines chiropractors and chiropractic assistants who violate the Maryland Chiropractic Practice Act ("Act"), and refers individuals for evaluation, treatment, and rehabilitation, when appropriate. Those tasks are completed by the investigative team.



The Compliance Unit experienced a complete staff turnover, losing both investigators at the end of May 2022. Recruitment of new staff was initiated immediately. As with many organizations, the workforce shortage has impacted recruitment efforts. Nevertheless, investigation of complaints received were not impacted as tasks were re-distributed amongst the existing staff to ensure appropriate coverage of those responsibilities.

### Disciplinary Statistical Information

The Chiropractic Board received eighteen (18) new complaints in FY 2022. The majority of the cases were based on complaints filed by patients. Other sources included the Attorneys of patients, other medical personnel and other state agencies. Each complaint was assigned a case number and initially reviewed by the Discipline Review Committee (DRC) of the Board to determine whether or not there were potential violations of the Chiropractic Act.

In FY 2022, there were a total of nineteen (19) cases under investigation. Of the total number of cases investigated, thirteen (13) were closed after initial review by the DRC. Two (2) were referred to the Office

of the Attorney General (OAG) for prosecution. One (1) case was closed with informal action (Letters of Education). The remaining complaint case requires further action by the Compliance Unit and Discipline Committee.

**2022 Discipline Cases Disposition**

Complaints Pending from Previous Year	1
New Complaints Received	18
Total Cases Under Investigation	19
Cases Referred to the Office of the Attorney General	2
Cases Closed Without Action after Initial Review	13
Cases with Formal Action Taken (Public Action)	0
Cases with Informal Action Taken (Letters of Education)	1
Unresolved Complaints as of June 30, 2022	3

The most common complaint received by the Board is the failure of licensees to provide patient records upon request by the patient or the patient’s attorney. This is a violation of the Act.

**Public Disciplinary Actions Against Licensees/Registrants/Applicants**



Public Disciplinary Actions<sup>1</sup> includes Revocations, Summary Suspensions, Suspensions, Probation, Reprimand, Denial of Application, Denial of Renewal Application, Denial of Reinstatement Application and/or Termination of Probation. Non-public actions are not disclosable by law and includes Letters of Education or Letters of Admonishment sent to the licensee/registrant by the Board.

In Fiscal Year 2022, the Board denied the request to employ two (2) chiropractic assistant trainee.

**Public Actions**

NAME	LICENSE/ REGISTRATION NUMBER	BOARD ACTIONS
Corrine Higgins	Applicant	Effective 03/10/2022, Denial of Application for CA Training Program.
Diana Griffin	Applicant	Effective 05/13/2022, Denial of Application for CA Training Program.

<sup>1</sup> The Disciplinary Actions are based on investigations initiated in FY 2019 and FY 2020.



## Case Management Report

At the conclusion of FY 2022, there were two cases under case management.

### ADMINISTRATIVE UNIT REPORT

The Administrative Unit plays an integral role in the operations of the Board. The Unit processes all CEU approval requests, Board Member and Board staff travel arrangements, payment of Board bills, provides information to the public on continuing education requirements, fees, license/registration verifications, requested forms, applications, Board statute and regulations and various Board matters.

### 2022 LEGISLATIONS IMPACTING THE BOARD

There were several bills of interest to the Board that were introduced during the 2022 legislative session. One of particular interest was HB 1455/SB 899 Health Occupations Boards - Authority Over Infrastructure - Staffing and Operations which did not pass and not supported by the Board. A Board member provided testimony in Annapolis in opposition of this bill.



### Conclusion

The pandemic and security incident have highlighted the need for regulatory boards to remain on the cutting edge of technology. We are continuously evaluating processes with a goal of delivering excellent customer service. One goal for FY 2023 is the administration of the Jurisprudence Examination using an online platform. This will allow applicants to take the examination at a time and in a location that is most convenient for them.

Another goal for FY 2023 is increased participation by licensees from all geographic regions in activities related to the profession and serving on the Board. Licensees are strongly encouraged to attend Open Sessions which are held at 10:00 am on the second (2<sup>nd</sup>) Thursday of each odd-numbered month. In addition to hearing about the Board operations, participants receive one (1) CEU hour which may be used for the required Jurisprudence course at renewal.

Join us as we continue to ensure protection of the public and promote safe practices by the chiropractic professionals.

We are here to serve!