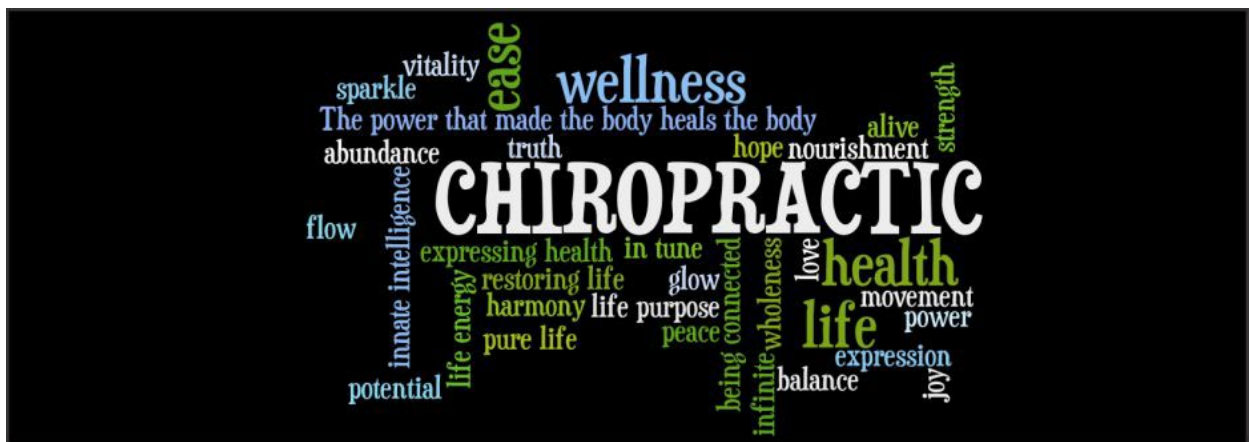


MARYLAND STATE BOARD
OF CHIROPRACTIC EXAMINERS
FISCAL YEAR 2023 REPORT

November 9, 2023



Introduction

The Maryland State Board of Chiropractic Examiners (the "Board") is the agency charged with the regulatory oversight of the practice of chiropractic in the State. The Board issues licenses to chiropractors (DCs) and registrations to chiropractic assistants (CAs). 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. In Fiscal Year 2023 (FY 2023) the Board regulated approximately nine hundred and seventy-one (971) chiropractors and five hundred, thirty-three (533) chiropractic assistants.

At the end of FY 2023, we said goodbye to Board Member Dr. Gregory Lewis, who completed nine years of unwavering service to the citizens of Maryland. We also welcome Dr. Daniel Kraus and Dr. Enid Cruise, who will each serve a four-year term on the Board.

Board Member Activities

Each Board member serves on at least one committee to help achieve the mission and goals of the Board. Committees include Disciplinary Review (DRC) and Licensing Committee (LRC), Legislative/Regulations Committee, Continuing Education Committee (CEU), Case Resolution Conference (CRC) and various ad hoc committees. During FY 2023 the Ad Hoc Online Jurisprudence Exam (IP) Committee worked diligently on compiling a test bank of questions for the JP Exam. We are in the third phase of implementing the online JP exam.

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), the Federation of Associations of Regulatory Boards (FARB) and the Council on Licensure, Enforcement and Regulations (CLEAR). The Board 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 2023, Board Members served on the NBCE Part IV Practical Examination Test Development Committee; attended the FCLB and NBCE 2023 Annual Conferences, the FCLB District III meeting and administered two NBCE Part IV Examinations. Board Members also did an education presentation at the Maryland Chiropractic Association's (MCAs) annual conference.

Board Member and Staff Development and Training

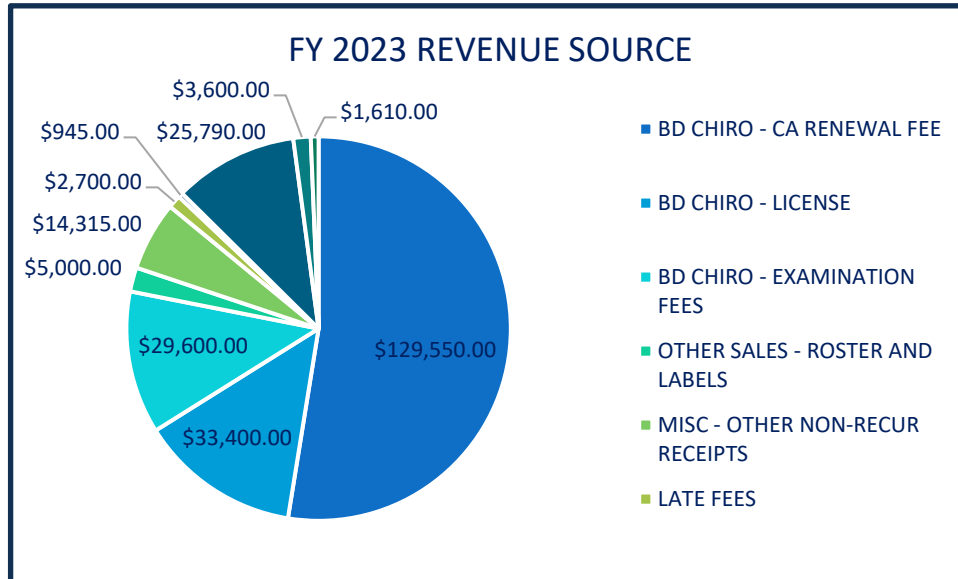
Board Members and Board Staff continue to improve their regulatory knowledge and leadership skills to ensure the Board functions efficiently. Training completed includes Implicit Bias; CLEAR, FARB and FCLB seminars, webinars on legislative and regulatory trends post the pandemic; and how to govern effectively.



Board staff completed various in-house trainings offered through MDH's training department (HUB) and Percipio, enabling them to effectively utilize Google Suite to streamline Board operations.

Fiscal Position

Revenue generated from licensure and registration fees support the operating costs of the Board. The fund balance at the start of FY 2023 was \$518,417.24, a carryover from FY 2022. Revenue collected in FY 2023 was approximately \$246,510.00, resulting in available operating funds of \$764,927.24. A significant portion of the revenue (\$129,550.00) was collected during the chiropractic assistant (CA) registration renewal period.



Appropriations (budgeted expenses) for FY 2023 were \$517,664.00. Expenditures through June 30, 2023 totaled \$474,516.23.

Revenue	Amount	Expenditures	Amount
Funds Balance from FY 2022	\$518,417.24	FY 2023 Appropriation	\$517,664.00
Incoming Revenue from FY 2023	\$246,510.00	FY 2023 Expenses	\$474,516.23
Funds Available in FY 2023	\$764,921.24	Unspent Appropriation	\$43,147.77
Less Total Expenses in FY 2023	\$474,516.23		
Funds Carried Forward to FY 2024	\$290,405.01		

Board Operations

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

- 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.

LICENSING UNIT REPORT

The Licensing Unit processes initial license/registration, renewal, restatement and reactivation applications, and responds to inquiries from potential licensees and registrants who are considering practicing in Maryland. Staff are 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

The Licensing Unit team is comprised of the Licensing Unit Manager, the Chiropractic Licensing Specialist, and the Massage Licensing Specialist. The Unit is now fully staffed and continues to process applications efficiently while maintaining the highest level of customer service. The 2023-2025 chiropractic assistant registration renewal process was a resounding success thanks to the hard work of the Licensing Unit team.

Licensing Statistical Information

In FY 2023, forty-one (41) new licenses were issued to chiropractors, and one hundred, nineteen (119) chiropractic assistants qualified for registration. At the conclusion of FY 2023, there were nine hundred, seventy-one (971) active chiropractors and five hundred, thirty-three (533) registered chiropractic assistants.

License and Registration Statistics as of June 30, 2023

Licensee Category	Status	Numbers
Chiropractor	Active	971
Chiropractor	Inactive	47
Chiropractic Assistant	Active	533
Chiropractic Assistant	Inactive	38

Approximately one hundred, sixty-three chiropractic assistants did not renew their registration in FY 2023.

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 investigative tasks are completed by the investigative team who present their investigative findings to the Board, implements the Board's recommendations, transmits cases to the Office of the Attorney General (OAG) for prosecution, and monitors case management compliance. The staff of the Unit regularly interacts with the public, licensees and registrants, and responds to informational requests. The Unit works collaboratively with other branches of the Maryland Department of Health (MDH), Board Counsel and prosecutors in the Office of the Attorney General, and with other government agencies.

The Compliance Unit experienced a complete staff turnover, losing both investigators at the end of May 2022. Recruitment of new staff was initiated immediately and continued throughout FY2023. After an extensive search and four rounds of interviews, we were able to re-hire a former investigator to fill one of the vacancies, in the second quarter of FY2023. Despite the extended vacancy, investigations of complaints received allegations of eminent harm were not significantly impacted as tasks were re-distributed amongst the existing staff to ensure appropriate coverage of those investigations.

Disciplinary Statistical Information

The Chiropractic Board received seventeen (17) new complaints in FY 2023. 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 2023, there were a total of seventeen (17) cases under investigation. Of the total number of cases investigated, six (6) were closed after initial review by the DRC. Six (6) were referred to the Office of the Attorney General (OAG) for prosecution. Four (4) cases were closed with informal action (Letters of Education). The remaining complaint cases require further action by the Compliance Unit and Discipline Committee.

2023 Discipline Cases Disposition

Complaints Pending from Previous Year	6
New Complaints Received	17
Total Cases Under Investigation	17
Cases Referred to the Office of the Attorney General	6
Cases Closed Without Action after Initial Review	6
Cases with Formal Action Taken (Public Action)	1
Cases with Informal Action Taken (Letters of Education)	4
Unresolved Complaints as of June 30, 2023	6

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 Actions¹ 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 include Letters of Education or Letters of Admonishment sent to the licensee/registrant by the Board.

In Fiscal Year 2023, the Board denied the request to employ one (1) chiropractic assistant trainee and terminated the probation of one chiropractor.

Public Actions

Name	License/Registration Number	Board Action
Sang Lee, DC	S03614	Effective 09/08/2022, Termination of Probation
Deborah Nicholas	Applicant	Effective 09/08/2022, Denial of Application for CA Training Program.

Case Management Report

At the conclusion of FY 2023, there was one case 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, payment of Board bills, Board Member and Board staff travel arrangements, provides information to the public on continuing education requirements, fees, license/registration verifications, requested forms, applications, Board statute and regulations and various Board matters.

¹ The Disciplinary Action is based on an investigation initiated in FY 2021. Cases referred for prosecution are based on investigations initiated in FY 2022 and FY 2023.

2023 Legislations Impacting the Board

The Board successfully introduced a bill during the 2023 Legislative Session which passed in both chambers and became law effective October 1, 2023. SB200-HB234 Chiropractic Examiners - Discipline (Governor Approved 05-03-2023) allows the Board to take disciplinary action against an applicant or a licensee for failing to comply with a Board order; authorizes the Board to grant a stay of enforcement of a Board order in accordance with the Administrative Procedure Act; prohibits an order of the Board from being stayed pending judicial review; authorizes the Board to appeal a decision that reverses or modifies its order; and authorizes the Board to reinstate a suspended or revoked license only under certain circumstances.



Conclusion

As we look at the five-year horizon, the Board's primary aim is to strategically position itself to ensure it is able to effectively accomplish its mission and statutory mandates. One goal for FY 2024 is to implement the administration of the Jurisprudence Examination using an online platform. Another goal is to streamline many of the Board's operational processes and introduce electronic payment of fees.

As always, licensees and registrants are strongly encouraged to attend Open Sessions which are held at 10:00 am on the second (2nd) Thursday of each odd-numbered month. In addition to hearing about the Board's operations and initiatives, participants receive one (1) CEU hour which may be used for the required Jurisprudence course at renewal.

All licensees are strongly encouraged to seek opportunities to serve on the Board. Working together we are able to accomplish great things!

We are here to serve!