

NBCE Control Group - Actions Reveal Attitudes

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There have been two interesting communications recently by certain directors of the National Board of Chiropractic Examiners (NBCE). The directors are essentially divided into two camps: those seeking reform and transparency, and those seeking tighter control.

The Anonymous E-Mail

The first of these communications came in the form of an anonymous e-mail dated April 11, 2006. The e-mail was received from nbce@nbce.org. The unknown author(s) of the e-mail wrote the following:

"Attached is a response from the Executive Committee of the NBCE to your recent articles. We demand that in fairness you print our response to the two *DC* articles that are sharply critical of the NBCE Board of Directors and specifically the Executive Committee."

A reply e-mail seeking the identity of the initial e-mail's author(s) and an interview received no response. This was the second time the NBCE has not responded to a request for an interview.

Interestingly enough, the executive committee is composed exclusively of those directors considered to be among the "control group." The attachment contained in the anonymous e-mail defends the actions of the control group and takes issue with comments made in an earlier article that appeared in the April 10, 2006 issue of *Dynamic Chiropractic*.¹

This was at least the second time (but probably not the last time) that NBCE assets and staff have been used to promote the interests of the control group in this year's elections. The first known instance was when the control group sent out an e-mail using the NBCE Communications Department. The letter defended the actions of the control group and lobbied for the re-election of a particular at-large director. More such uses by the control group can only be expected.

The Word file attached to the anonymous e-mail (available online at www.ChiroWeb.com/NBCE) makes a number of points. One of the most interesting is the suggestion that because there are new people on the NBCE board, there is no attempt to control the NBCE.

This point only serves to confirm the concerns, rather than dispel them. The problem lies in the ability of the control group to control who occupies the four "at-large" director seats. Once these are controlled, the control group only needs two more votes to have 6-5 control.²

In reviewing the Word file attachment, if you glance down the list of "11 new members elected/appointed to the board of directors," you will notice five new at-large directors "elected" by the board itself (not the state delegates). Here is where you find the control group stronghold, with three out of the four (exclude Julia McDaniel, who was replaced by Dr. Craft) "new" at-large directors having an association with New York Chiropractic College (Dr. Kenneth Padgett - past president and current

chancellor of NYCC; Dr. Peter Ferguson - past trustee president and current member of the NYCC board of trustees; and Dr. Frank Lizzio - employee of NYCC).

In its response, the control group talks about the "good old boy's club" and "the good old boys." While this appears to refer to a statement made in the *Dynamic Chiropractic* article they are responding to, no such statement exists. It's as if they have begun using a term for themselves that reflects how they are being perceived, rather than what is actually being said.

The Nonprofit Campaign Letter

The second communication came by way of regular mail. Again, the assets and presumably the staff of the nonprofit NBCE apparently were used to mail a letter to "NBCE Delegates & Alternate Delegates/State Board Members/State Board Executive Directors/Chiropractic College Presidents." The letter was printed on NBCE nonprofit letterhead. It came in an NBCE nonprofit envelope. It appears to have been sent using NBCE nonprofit postage.

But the six-page letter (also available at www.ChiroWeb.com/NBCE) is unashamedly a campaign piece for Dr. Rick Murphree, who is desperately trying to hold onto his District V director position. Dr. Murphree also is listed as one of the authors of the Word document noted above.

In his campaign letter, Dr. Murphree provides the reason that the NBCE board travel expenses can reach as high as half a million dollars each year:

"This is our most important job - to insure [sic] exam security and to fulfill legal requirements that exams are being conducted fairly - this is the commitment to students, colleges and state licensing boards. To re-emphasize, this was critical information in my decision because one of the primary functions of an NBCE board member is to verify that correct processes are followed during each exam administration."

Dr. Murphree has apparently forgotten that there are 22 NBCE test sites worldwide and only 11 board members. So, even if this was a job that only the directors could do, they can't do them all. They can't even attend all 16 U.S. test sites. (Ask the NBCE sometime to see copies of student complaints regarding the activities of the NBCE directors at the test sites.)

But even more obvious is the arrogance in believing that the NBCE directors must travel all across the country (approximately \$2,500 per trip), because apparently, they are the only 11 people on the planet who can watch the students take tests and "verify that correct processes are followed." This leads to some interesting questions:

- What about the NBCE staff and proctors; aren't they qualified?
- Does each of the NBCE directors really have to travel to four-plus exam sites every year just to watch students color in the circles?
- How is it that the chiropractic colleges are able to give midterms and final exams without requiring that the NBCE directors come and watch?
- And what about the six non-U.S. test sites; how can they possibly give a single exam without the NBCE directors flying around the world?

One would think local proctors could be used to oversee exams, allowing the NBCE to save that \$500,000 or more every year and reduce the price of the exams to the students.

There are a myriad of issues. But as the election draws near, we should focus on the ones that really matter.

The NBCE is a nonprofit organization created as a professional trust to support the state licensing boards and to facilitate the licensing of new doctors of chiropractic. The NBCE should be the most transparent organization in the profession. The details of how it spends the students' money should be open and above reproach. The assets of the NBCE should never be used for unnecessary travel, supplemental income, or for individual directors to campaign for control of the organization.

Up until recently, the NBCE refused to let its own state delegates know the details of what it spends and how much its directors get paid. In the past few days, the control group has begun to release bits of tailored information, rather than detailed audited reports. This information, like the assets of the NBCE, appears to be at the board's sole disposal.

The NBCE needs meaningful change, in addition to lower exam fees. The era of secrecy and control needs to end. The board needs to be about operating a professional trust, not excessive expenses and questionable per diems.

Once again, the state delegates can reform the NBCE. They need only do four things:

1. Ask hard questions (of those up for election).
2. Ask all incumbents for last year's 1099s (The reform directors have committed to having theirs available. Dr. Murphree also stated in his letter that "my 1099 is available for you to view.")
3. Go on the record by voting face up.
4. Don't automatically elect the district nomination. There will be elections for the board members from Districts 3 and 5. These are the only board positions that the NBCE state delegates get to vote on! The districts make the nominations, but the actual election for each district director is performed by the entire body of state delegates. If you don't agree with the district nomination, vote against the candidate. If they don't get the vote from the majority of the state delegates, they won't be elected.

As the control group clearly states in its April 11 e-mail: "Make no mistake about it, there is a great deal at stake in the National Board of Chiropractic Examiners (NBCE) elections."

References

1. How do the same people stay in control of the National Board? *Dynamic Chiropractic*, April 10, 2006. www.chiroweb.com/archives/24/08/18.html.
2. National Board - the politics heat up. *Dynamic Chiropractic*, April 24, 2006. www.chiroweb.com/archives/24/09/13.html.

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