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- Licensed Chiropractor in ND (and previously NC)
- Owner of Freedom Chiropractic Health Center in Fargo
- Founder and president of the Association of Wellness Chiropractors
- Business co-owner of several entities in ND involving land, minerals, water, and real estate
- Associates degree at Williston State College, BS in Chemistry at Dickinson State University, Doctor of Chiropractic at Northwestern Health Sciences University, Master's degree in Human Nutrition and Functional Medicine at University of Western States, and finishing Doctorate in Clinical Nutrition at University of Western States
- Married with 4 children

Chairman Louser, Representatives of the Industry, Business and Labor Committee,

Hello and thank you for the opportunity to speak to you today. My name is Dr. Jake Schmitz, and I am here today representing myself as a licensed chiropractor in the state of North Dakota (ND). I have been a practicing chiropractor in Fargo for around 11 years.

I am in favor of HB 1517. This bill allows for transparency with how the chiropractic board operates, in the spirit of ND open meeting/record laws. The intent of the Open Meeting/Record laws, implemented by the legislature, is for increased transparency by state agencies. Section 44-04 has exceptions for when it is appropriate to go to executive session by boards (attorney consultation, negotiation strategies, etc.) This bill still fits within the existing framework of 44-04 by allowing the chiropractor whose license is on the line to sit in on the meetings. If the chiropractic board wants to exclude the chiropractor, they will need to give a legal reason for doing so within the parameters of 44-04-19.1.

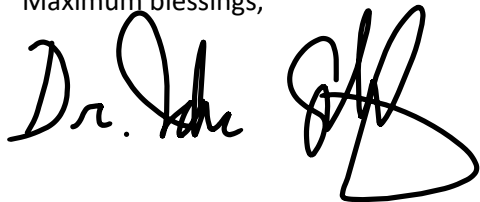
A common tactic this board uses to govern is to do so via executive sessions. This last year alone the board had 13 meetings and went to 22 executive sessions accounting for roughly 5.4 hours of cumulative time. This bill won't necessarily stop them from going to executive session, but it will at least allow the chiropractor in question to be able to sit in and listen to what is being said about him/her. That alone would increase the likelihood of the chiropractor understanding what the board is concerned with and changing his/her actions. Without that transparency, how can any chiropractor know what is expected of him/her when issues arise? The default action of the board should be to allow all chiropractors to be informed as to how to handle/prevent/avoid/remedy issues.

The Chiropractic board uses executive sessions to hide discussions which should be otherwise open to the public. When they return from executive session, they do not give any details as is required by 44-04. They instead have a canned response, which is "proceed as discussed in executive session." This proposed bill, at a minimum, allows the chiropractor to know what is expected and how to respond.

In the interest of public transparency for state agencies, I hope you vote a DO PASS on HB 1517 in protection of Open Meeting Laws.

Thank you for your time. I greatly appreciate the opportunity to speak here today. I will welcome any questions you may have.

Maximum blessings,

A handwritten signature in black ink, appearing to read "Dr. Jake Schmitz". The signature is stylized and cursive, with a large, sweeping flourish at the end.

Dr. Jake Schmitz