

**Board of Chiropractic Examiners  
TELECONFERENCE MEETING MINUTES  
Enforcement Committee  
April 18, 2013  
2525 Natomas Park Drive, Suite 260  
Sacramento, CA 95833**

**Teleconference Locations with Public Access**

Dr. Francesco Columbu, D.C.  
2265 Westwood Blvd, Ste A  
Los Angeles, CA 90064  
(310) 234-1160

Dr. Sergio Azzolino, D.C.  
1545 Broadway St, Ste 1A  
San Francisco, CA 94109  
(415) 563-3800

**Committee Members Present**

Sergio Azzolino, D.C., Chair  
Francesco Columbu, D.C.  
Hugh Lubkin, D.C.,

**Staff Present**

Robert Puleo, Executive Officer  
Spencer Walker, Attorney III  
Sandra Walker, Compliance Manager  
Linda Shaw, Licensing/CE Manager  
Christina Bell, Associate Governmental Program Analyst

**Call to Order**

Dr. Azzolino called the meeting to order at 1:05 p.m.

**Roll Call**

Dr. Lubkin called the roll. All committee members were present.

**Approval of January 30, 2013 Minutes**

**MOTION: DR. AZZOLINO MOVED TO APPROVE THE MINUTES**

**SECOND: DR. COLUMBU SECONDED THE MOTION**

**VOTE: 3-0**

**MOTION CARRIED**

**“Group-On” and Other Internet Marketing Sites-Business and Professions Code  
Section 650**

Mr. Puleo spoke on “Group-On” and other internet marketing. He and Mr. Walker informed the Committee of a Department of Consumer Affairs’ (DCA) released a legal opinion relating to this matter.

The Committee had a lengthy discussion.

**MOTION: DR. LUBKIN MOVED TO ADOPT THE DCA LEGAL OPINION**

**SECOND: DR. COLUMBU SECONDED THE MOTION**

**VOTE: 3-0**

**MOTION CARRIED**

The Committee had a further discussion.

**MOTION: DR. LUBKIN MOVED TO SEND A LETTER TO GROUP-ON TO MAKE THEM  
AWARE OF THE LEGAL OPINION**

The Committee discussed this motion further.

**MOTION: DR. LUBKIN AMENDED THE MOTION TO POST THE DCA LEGAL OPIONION  
ON THE BOARD’S WEB SITE AND WAIVE THE ATTORNEY-CLIENT PRIVILEGE**

**SECOND: DR. AZZOLINO SECONDED THE MOTION**

**VOTE: 3-0**

**MOTION CARRIED**

Mr. Walker indicated to confer with DCA to control the distribution. After a lengthy discussion, it was determined to present to the full Board at the May Board meeting to adopt DCA’s legal opinion, post on the Board’s web site, waive attorney-client privilege, direct Mr. Puleo to confer with DCA and notify Group-on.

**Chiropractic Specialties-Status of Department of Industrial Relation Qualified Medical  
Examiner Eligibility Regulations**

Dr. Lubkin and Mr. Puleo gave the history of this item. Dr. Azzolino directed Mr. Puleo to send another letter to the Department of Industrial Relations, Division of Workers’ Compensation to inquire. If no response to the Board’s letter, Mr. Puleo is to schedule a meeting to discuss.

**Continuation of the Disciplinary Guidelines Review**

The Committee proceeded to make changes to the Disciplinary Guidelines sections: Factors to Be Considered in Determining Penalties; Standard Conditions edited from 1/30/13 meeting; Optional Conditions

In reviewing the Disciplinary Guidelines, Mr. Puleo recommended to incorporate SB 1441 – Uniform Standards Regarding Substance-Abusing Healing Arts Licensees language into many of the proposed terms and conditions within the Disciplinary Guidelines (Attachment A and Attachment 1).

**Incorporating Citations into the Disciplinary Guidelines**

Mr. Walker indicated that citations are not considered formal discipline and can not be incorporated into the Disciplinary Guidelines. Citations and their process must be placed in the Board’s Enforcement Procedure Manual.

**Public Comment**

No public comments were brought forward.

**Future Agenda Items**

Dr. Azzolino requested Section 317(w) – failure to refer, be discussed at the next Enforcement Committee meeting.

Dr. Lubkin requested Chiropractic corporation practices be discussed at the next Enforcement Committee meeting.

**Adjournment**

Dr. Azzolino adjourned the meeting at 3:00