

## **NOTICE OF BOARD MEETING**

The Bristol Hotel  
1055 First Avenue, City Scene Room  
San Diego, CA 92101  
August 9, 2018  
Front Desk (619) 232-6141  
9:00 a.m. to 5:00 p.m.  
or until completion of business

The Board of Chiropractic Examiners (Board) plans to webcast this meeting at

<https://thedcapage.wordpress.com/webcasts/>.

Webcast availability cannot, however, be guaranteed due to limitations on resources or other technical difficulties that may arise. If you wish to participate or to have a guaranteed opportunity to observe, please attend at the location specified above.

### **AGENDA**

- 1. Open Session** – Call to Order & Establishment of a Quorum  
Heather Dehn, D.C., Chair  
Corey Lichtman, D.C., Vice Chair  
Sergio Azzolino, D.C., Secretary  
Dionne McClain, D.C.  
Frank Ruffino  
Thyonne Gordon, PhD
- 2. Pledge of Allegiance**
- 3. Hearing Re: Petition for Early Termination of Probation and/or Reduction of Penalty**
  - A. Michelle McMillan, D.C. Case No. AC 2015-1026

-----**15 Minute Break**-----

- 4. Hearing Re: Petition for Reinstatement of Revoked License**

- A. Michael Painter Case No. AC 2013-964
- B. Andy Nguyen Case No. AC 2011-892

- 5. Closed Session**

The Board will meet in Closed Session to:

- A. Deliberate on Disciplinary Decisions and the above Petitions Pursuant to California Government Code Sections 11126(c) and 13963.1
- B. Receive Advice from Legal Counsel Pursuant to California Government Code Sections 11126(e) and section 13963.1. Regarding Hugh Lubkin, D.C. v. Board of Chiropractic Examiners Workers' Compensation Case No. ADJ7361379

-----1 Hour Lunch Break-----

**6. Open Session: Announcements Regarding Closed Session**

**7. Chair's Report**

Update on the Chair's Activities and Board's accomplishments and/or goals

**8. Approval of June 5, 2018, Board Meeting Minutes**

**9. Ratification of Approval of License Applications**

**10. Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing**

**11. Ratification of Approved Continuing Education Providers**

**12. Executive Officer's Report**

- A. Administration - Board staffing/organizational chart
- B. Budget - Fund condition update
- C. Licensing - Statistical trends
- D. Enforcement - Statistical trends

**13. Review, Discussion and Possible Action to Establish a Special Committee of the Board to Discuss Opening the Chiropractic Initiative Act of 1922**

**14. Review, Discussion, and Possible Action Regarding Procedures to Elect Board Officers**

-----15 Minute Break-----

**15. Review, Discussion, and Possible Action on Changes to the Board Member Administrative Procedure Manual**

**16. Review, Discussion and Possible Action Regarding Board Member Committee Assignments**

**17. Review, Discussion and Possible Action Regarding the Distribution of Board Meeting Materials**

**18. Review, Discussion and Possible Action Regarding Legislation from other States**

- A. Louisiana HB 748 (Emerson) Establishes the Occupational Licensing Review Act
- B. Louisiana HB 372 (Connick) Establishes the Occupational Board Compliance Act
- C. Missouri HB 1500 (Dogon) Reduction in Regulation of Certain Occupations

**19. Review, Discussion and Possible Action Regarding Revisions to Sections 330 – 331.16 (Curriculum Requirements)**

**20. Review, Discussion and Possible Action Regarding Cannabidiol (CBD)**

**21. Review, Discussion and Possible Action Regarding Telehealth**

**22. Review, Discussion and Possible Action Regarding the Definitions of Chiropractic Adjustive Technique and Chiropractic Manipulation Technique**

- 23. Review, Discussion and Possible Action on Whether the Board Should Grant Continuing Education Credit for Adjustive/Manipulation Techniques That Are Not Limited to a Doctor of Chiropractic**
- 24. Review, Discussion and Possible Action on B&P Section 1054 - Name of Chiropractic Corporation**
- 25. Review, Discussion and Possible Action Regarding SB 1480 (Hill) Professions and vocations**
- 26. Review, Discussion and Possible Action Regarding SB 1448 (Hill) Probation status: disclosure**
- 27. Review, Discussion and Possible Action Regarding AB 2138 (Chiu/Low) Denial of application: revocation or suspension of licensure: criminal conviction**
- 28. Update, Discussion and Possible Action on Pending Rulemaking:**
  - A. Application For Licensure (CCR Section 321) – **(Approved – Effective 10/1/18)**
  - B. Consumer Protection Enforcement Initiative (CPEI)
  - C. Revisions to BCE Disciplinary Guidelines & Uniform Standards for Substance Abusing Licensees
  - D. Delegation of Authority to the Assistant Executive Officer
  - E. Mandatory Cardiopulmonary Resuscitation (CPR) Certification for all licensees
  - F. Comprehensive Revisions/Updates to CCR Article 4 (Sections 330 – 331.16) – Approved Schools & Qualifications of Applicants (Curriculum Requirements)
  - G. Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity of Licensee
  - H. Continuing Education Requirements (CE Provider and Course Approval)
  - I. Amend or Repeal CCR Section 354- Successful Examination (Obsolete provision)

**29. Public Comment for Items Not on the Agenda**

*Note: The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a).] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.*

**30. Future Agenda Items**

*Note: The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125.]*

**31. Adjournment**

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Meetings of the Board of Chiropractic Examiners are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Board may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at [www.chiro.ca.gov](http://www.chiro.ca.gov).

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The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at (916) 263-5355 or e-mail [chiro.info@dca.ca.gov](mailto:chiro.info@dca.ca.gov) or send a written request to the Board of Chiropractic Examiners, 901 P Street, Suite 142A, Sacramento, CA 95814. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

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State of California  
Edmund G. Brown Jr., Governor

Agenda Item 8  
June 5, 2018

## Approval of Minutes

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### **Purpose of the item**

The Board will review and approve the board meeting minutes of the previous board meeting.

### **Action(s) requested**

The Board will be asked to make a motion to approve the June 5, 2018, Board meeting minutes.

### **Background**

N/A

### **Recommendation(s)**

N/A

### **Next Step**

N/A

### **Attachment(s)**

- Meeting Minutes from the June 5, 2018, Board meeting.



**BOARD OF CHIROPRACTIC EXAMINERS  
PUBLIC SESSION MINUTES**

The Department of Consumer Affairs, Headquarters II  
1747 N. Market Blvd., Room #186  
Sacramento, CA 95834-1924  
Security Desk: 916-574-7307  
June 5, 2018  
9:00 a.m. to 5:00 p.m.  
or until completion of business

**Board Members Present**

Heather Dehn, D.C., Chair  
Corey Lichtman, D.C., Vice Chair  
Sergio Azzolino, D.C., Secretary  
Frank Ruffino

**Staff Present**

Robert Puleo, Executive Officer  
Marcus McCarther, Assistant Executive Officer  
Kenneth Swenson, Attorney III  
Dixie Van Allen, Staff Services Manager I  
Valerie James, Management Services Technician

**Call to Order**

Dr. Dehn called the meeting to order at 1:00 p.m.

**Roll Call**

Dr. Azzolino called the roll. All members were present except Dr. McClain. A quorum was established.

**Pledge of Allegiance**

Mr. Ruffino led the Pledge of Allegiance.

**Chair's Report**

Dr. Dehn complimented SOLID on their training of True Colors that the Board Members participated earlier in the day. Everyone found it to be extremely helpful. Board committees have been working on respective projects and Dr. Dehn is looking forward to receiving updates in today's Board Meeting. Dr. Dionne McClain, who is not present today, participated in the California Chiropractic Association (CCA) Women's Panel Sports Symposium in April, along with Dr. Hewitt, who organized a panel. All feedback was positive from licensees.

Dr. Dehn reminded Board members of upcoming opportunities for participation, primarily through the upcoming CCA convention and the National Board of Chiropractic Examinations (NBCE).

## **Greeting from the Department of Consumer Affairs Executive Office**

Patrick Le introduced himself and his participation with the Department of Consumer Affairs. Mr. Le's update to the Board consisted of a personnel announcement, highlighted SOLID and their new additions to the executive level training programs they offer and the Directors' Quarterly Meeting which was held in April. Mr. Le also announced the recent reconvening of the Substance Abuse Coordination Committee, which will examine and determine need for updating the Uniform Standard IV. Lastly, Mr. Le, reminded the Board that required Board Member training is available for the remainder of the year and is required within one year of appointment to the Board.

## **Approval of February 22, 2018, Board Meeting Minutes**

**MOTION: DR. AZZOLINO MOVED TO APPROVE THE MINUTES OF THE February 22, 2018 MEETING.**

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

**Discussion:** Mr. Ruffino noted that on page four, second paragraph, he would like the word "required" to be removed. It should have read "should ask - encourage".

Mr. Ruffino also noted on the fourth paragraph that "expressed disappointment that he was not reelected as Vice Chair", should read "expressed disappointment with the Board's election process prior to election day January 31, 2018". The last sentence of the same paragraph should read, "He believes his efforts were not appreciated", please add "and was disrespected".

Mr. Ruffino noted on page six, paragraph five, "the other board members" should be removed and replaced with "him about his interest in remaining Vice Chair or becoming Board Secretary".

Mr. Ruffino also noted, on page seven, paragraph nine, very last sentence; "agrees with outcome" should be removed. Sentenced should end after the word "process".

Dr. Azzolino offered a correction on page four, paragraph seven; "He shared that he was very disappointed to learn that no other Board Member wanted to assume his current position as Secretary", more accurate to state that "no other Board Member previously expressed interest to want to assume his current position as Secretary".

Dr. Dehn shared that Dr. McClain had left her with some notes regarding grammatical changes of the minutes. Mr. Kenneth Swenson mentioned that if the changes were not substantive, they could be incorporated into the motion of accepting the minutes as verbally amended.

Dr. Azzolino noted on page five, first paragraph, the word "attend" should be replaced with "participate". To read "...opportunity to participate in the meeting".

Mr. Ruffino offered a clarification that the motion to approve the minutes would include these recent corrections. Dr. Dehn confirmed that it would.

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE,)**

**MOTION: CARRIED**

### **Executive Officer's Report**

#### **A. Administration - Board staffing/organizational chart**

Mr. Puleo shared that the Board has two vacant positions. One vacancy is a Staff Services Analyst position for Continuing Education in the licensing unit and an offer has been made. Natalie Boyer is starting in the position on the 18<sup>th</sup> of June. The other position is the Associate Governmental Program Analyst (AGPA) position for Policy Analyst in the administrative unit. Applications have been received for the AGPA position, the next step would include interviewing the candidates. Mr. Puleo is hopeful to have additional personnel announcements at the next Board Meeting.

Mr. Puleo also congratulated Marcus McCarther in his completion of the DCA's Future Leadership Development Training program.

Mr. Puleo was also reminded that a new Board member has been appointed by the Governor's Office, Thyone Gordon.

#### **B. Budget - Fund condition update**

Mr. Puleo introduced DCA's Budget Officer, Mark Ito. Mr. Ito provided a synopsis of the Department's budget process. Mr. Ito reviewed the contents of the Board Fund Condition Report.

#### **C. Licensing - Statistical trend**

Mr. Puleo provided an overview of the licensing trends; total licensees in state, licenses issued per month and canceled licenses.

Dr. Azzolino requested data trends relating to the chiropractic profession from around the United States.

Mr. Puleo stated he will provide statistics related to national chiropractic trends at the next Board Meeting. Additionally, he will provide data related to Physical Therapy Board, Medical Board, Nursing Board and Osteopathic Board and the increases or declines in the professions.

#### **D. Enforcement - Statistical trends**

Mr. Puleo provided an overview of the enforcement program data; number of complaints received, letters of admonishment, and number of accusations the Board issued.

### **Ratification of Approved License Applications**

**MOTION: MR. RUFFINO MOVED TO APPROVE THE LICENSE APPLICATIONS.**

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

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)**

**MOTION: CARRIED**

## **Ratification of Approved Continuing Education (CE) Providers**

***MOTION: DR. LICHTMAN MOVED TO APPROVE THE CONTINUING EDUCATION PROVIDERS.***

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

***VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)***

***MOTION: CARRIED***

## **Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing**

Dr. Dehn stated there are currently none.

## **Presentation by Board's Legal Counsel**

The Board's Legal Counsel, Kenneth Swenson, offered a presentation to the Board on the Bagley Keene Open Meeting Act. Mr. Swenson used the acronym POPCORN to help highlight key topics from the act.

There was a discussion amongst the Board as to the possibility of having a three-member committee versus the two-member committee that they currently have. Mr. Puleo reminded the Board that due to the current size of the Board and Board Member's schedule availability, it was near impossible to meet all scheduling needs for the various committees. Dr. Dehn noted the ease of operation for the two-member committees.

Mr. Swenson also updated the Board on the Chiropractic Initiative Act. The Act requires the election of officers to occur in January and sets the term of office for one year, from January to January. In the absence of a vacancy the Board cannot recall an officer.

## **Update, Discussion and Possible Action on Licensing & Continuing Education Committee Meeting Agenda**

Dr. Dehn will be commenting on behalf of Dr. McClain. Dr. McClain is the Chair on the Continuing Education (CE) committee. Dr. Dehn proceeded to explain what is proposed for Qualifying Subject Areas and Mandatory Hours as it relates to updating regulations on Licensing and CE.

1. Assessment procedures to include physical, orthopedic and neurologic testing.

Dr. Azzolino encourages the Committee to reinserts the word 'diagnostic' into the subject area. Additionally, he believes 'cardiovascular' should be included.

2. Radiology, including, diagnostic imaging and interpretation.
3. Interpretation of blood and urinalysis test results.

4. Evidence based peer reviewed clinical intervention.

Dr. Azzolino proposed making 'intervention' plural, to read 'interventions'.

5. Chiropractic adjustive techniques or chiropractic manipulation techniques as taught by a Council of Chiropractic Education (CCE) accredited colleges or formerly recognized by CCE accredited colleges.

Dr. Dehn clarified that this does not read that technique has to be taught by a CCE school but that the technique would be one that was taught in a CCE accredited school.

Dr. Azzolino brought up concern of only offering classes through CCE schools. Proposed technique classes offered through other specialty boards.

Mr. Puleo suggested including techniques recognized by other accrediting bodies. Dr. Azzolino mentioned American Board of Chiropractic Specialties, as this would allow the regulation to be sufficiently broad.

Public Comment: Dr. Palmer Peet suggested to have regulation read "techniques that fall within scope of practice".

Board agreed that language would be too broad.

Public Comment: Laurie Isenburg, Director of Continuing Education for Life Chiropractic College West, offered a suggestion that any CE proposal submitted for technique is reviewed by adjustive technique faculty. Faculty will be able to examine and approve any technique course possible.

The Board appreciated the suggestion and are interested in that form of vetting.

Dr. Dehn opened the meeting up to public comment and invited anyone forward who would like to make comment on CE subject areas one through four.

Public Comment: Dr. Eric McKillican, Sacramento chiropractor and faculty at Life Chiropractic College West, suggested including the term subluxation into subject area one.

The Board felt that a chiropractor's review and assessment of the subluxation would occur in an exam of the patients physical, orthopedic or neurologic condition and would not be necessary to include the term subluxation.

Mr. Puleo offered a reminder to the public that if they feel strongly on a particular subject area they are welcome to participate in the formal review process, including public comment, within the regulation process.

Public Comment: Mrs. Isenburg encourages the Board to not draft CE regulations for the lowest common denominator of minimal competency but should be striving for CE that elevates the profession to excellency.

Mr. Puleo appreciated the comment and agrees with it but reminds the Board that by law they can only require minimum competency of practitioners.

Mrs. Isenburg also advised the Board to review the fee structure for CE courses. California is the only state in the United States that requires providers to submit a new application and fee for a single topic that is represented in a class or seminar.

Dr. Dehn shared that this comment is one frequently presented by providers and is something that will be discussed at a CE Committee meeting at a later point.

Mrs. Isenburg also brought up the elimination of Philosophy of Chiropractic as a subject area from the regulations and encouraged the Board to reconsider.

Dr. Dehn stated that would be covered at the end of the discussion.

#### 6. Physical medicine modalities and therapeutic procedures.

Dr. Dehn shared that Dr. McClain had left her with comment on this topic and that her suggestion is to leave number six as physiotherapy, as it is currently written in regulations.

Public Comment: Marcus McCarther, Assistant Executive Officer for Board of Chiropractic Examiners, posed a question for legal counsel, can the Board define physiotherapy in an alternate manner, if it is specifically defined by the Physical Therapy Board?

Mr. Swenson answered that the legislature can change the law it affects but a Board's regulations can not affect another Board's own regulations.

Dr. Azzolino brought up the use of lasers as they relate to physiotherapy care. He encourages using several terms to define the subject area: physical medicine modalities, physiotherapies and therapeutic procedures.

Dr. Dehn confirmed that the recommendation reads "physiotherapy, physical medicine modalities and therapeutic procedures".

#### 7. Current Issues in Public Health.

Public Comment: Dixie Van Allen, Staff Services Manager for Board of Chiropractic Examiners, this topic might still be too broad. Would like to see more defining words or specific precluding items identified in potential courses.

Dr. Dehn agrees with the potential vagueness of this subject matter, we might need more examples of what would present in this area and then can determine what not to include under public health.

Dr. Dehn suggested that the topic would be continued to be under review by the CE committee in an effort to try and define public health.

#### 8. Nutrition.

9. Special population care, which shall include, but not be limited to, geriatric, pediatric, HIV, and transgender care as related to the practice of chiropractic. Instruction in this subject area must be directly related to patient care.

Dr. Dehn shared that Dr. McClain's recommendation to remove special population care all



together or keep the language as it currently appears in regulation.

Dr. Azzolino recommends striking 'special population care' as it stigmatizes certain populations and there is no difference in care for any of the above-mentioned groups, specifically HIV and transgender individuals. Dr. Azzolino suggests sensitivity training as opposed to special population care.

Public Comment: Mrs. Isenburg has been involved in the transgender community and feels that the individualized care to particular communities enhances care. There are physical differences that should be acknowledged in the scope of care to the patient.

Dr. Azzolino again feels that sensitivity training would more aptly meet the needs of a diverse patient population.

Dr. Dehn inquired of the Board if this should be a subject matter that is deleted from the regulations or should it be kept as written, and if so, should the wording be changed of 'special population care'.

Dr. Azzolino suggested 'diversity and cross-cultural differences'.

Mr. Puleo suggested 'training and care of patients'. Ensuring that the language speaks directly to sensitivity regarding caring for a patient.

Dr. Dehn will bring the recommendations back to the CE Committee to source out additional language possibilities.

10. Proper and ethical billing and coding, including accurate and effective record keeping and documentation of evaluation, treatment and progress of a patient. This is not to include practice building or patient recruitment/retention or business techniques or principles that teach concepts to increase patient visits or patient fees per case.

Dr. Lichtman suggested adding a portion regarding SOAP notes and proper electronic medical records (EMR) notes.

Mr. Puleo stated that the law does not specifically require SOAP notes, which has been a cause of concern for enforcement cases. He believes the opportunity to address these concerns are in this section of the law.

Dr. Dehn mentioned that the Committee would try to incorporate those two items into the language of the regulation.

11. Ethics and law: including but not limited to: truth in advertising; professional boundaries; mandatory reporting requirements for child abuse/neglect, elder abuse/neglect, and spousal or cohabitant abuse/neglect; and review of the specific laws, rules and regulations related to the practice of chiropractic in the State of California.

Dr. Azzolino brought up his concern that there is no mandatory reporting for spousal abuse. It would potentially create a HIPPA violation and circumvent the patient's relationship.

Mr. Puleo informed the Board the staff had researched the topic and created a cheat sheet for all the laws applicable to chiropractic and they are indeed mandatory reporters for all three

categories listed in the regulation.

Dr. Azzolino is curious to know what the Medical Board's stance is on reporting spousal abuse. He encourages the Board to vet this particular item thoroughly.

Public Comment: Mrs. Van Allen questioned the staff's ability to deny a course, specifically in Workers Compensation, but since it often falls under Ethics and Law, it would be upheld.

Dr. Azzolino suggested auditing those classes more rigorously, as they don't specifically fall under a chiropractic patient model but still heavily influence the profession.

Mrs. Van Allen proposed that the Board accept licensees completing CE hours in Workers Comp, or something similar, but that the Board does not approve these courses.

The Board discussed several options related to additional courses offered through other medical boards.

Dr. Dehn clarified Dr. Azzolino's recommendation that if the Board does not approve Workers Compensation topics, the Board would have no way of determining the quality of instruction through the Department of Industrial Relations. This topic will be further reviewed by the Committee. Dr. Dehn and Dr. Azzolino also discussed the potential option of granting the schools with an expedited approval process, pending a review of their vetting process for Workers Compensation courses.

Public Comment: Dr. McKillican brought forward a question regarding the change for mandatory hours up to 6 hours for topics 9, 10, 11 and 12.

Dr. Dehn spoke on behalf of the Committee, that it was their intention to ensure licensees take classes specific to record keeping, ethics and law and sexual boundaries. That, currently, licensees can take a 6 hour course under ethics and law and they would not be required to take a course in the other subject matters. Which the Board deems very important.

Dr. McKillican clarified that he would be required to attend 2 hours of training under ethics and law, sexual boundaries and record keeping. He believes as an ethical practitioner, he would be subject to additional training time in areas he has never violated.

Dr. Azzolino suggested adopting the program DCA offers through Solid, for sexual harassment training, for all of California licensees. Also, he proposed reducing mandated hours in those three subject areas to one hour each.

Dr. Dehn offered to suggest to the CE Committee to change the mandatory hours from two to one hour.

The Board discussed the possibility of changing the language to include sexual harassment versus boundaries. The Board does not regulate sexual harassment but it does prohibit sexual relationships with staff. Further Board discussion of having sexual boundaries and sexual harassment as two separate but equally required training areas.

Mr. Swenson suggested 'sexual harassment and misconduct prevention' as language for the regulation but the DCA training through SOLID is specifically set up under the Fair Employment and Housing Act, which has a different obligation for office staff than medical providers.



12. Sexual Boundaries between doctors and patients, including but not limited to misconduct or harassment between a licensee, patient, and staff.

13. Cardiopulmonary resuscitation, basic life support and use of an automated external defibrillator (\*Note: This will probably be addressed elsewhere in the CE Regs).

#### 14. Basic Sciences

Dr. Dehn acknowledged that this topic was included after the CE Committee meeting and is defined as anatomy, histology, neurology, physiology, nutrition, pathology, biochemistry or toxicology.

Dr. Azzolino suggested removing this topic as these basic science principles could potentially fall under another subject matter already identified.

The Board discussed several examples of courses under this topic and how the language would best identify the needs of a chiropractor. Suggested to include 'anatomy and physiology as related to clinical practice'. Suggested to include neurology.

Dr. Dehn stated that she will bring the suggestions of the Board and the public back to the Committee for further review.

Dr. Dehn finished the segment with a discussion regarding Philosophy of Chiropractic, it is not currently included in the proposed regulations, as it is a topic that is often abused as a catch all of course topics.

Public Comment: Dr. McKillican shared that he is diplomate in philosophy and would very much like to offer his services to the Board to define and determine what should constitute a philosophy course.

Dr. Dehn continued with a brief review of the proposed mandated hours for CE and that Dr. McKillican's concern regarding the amount of hours is duly noted. This will continue to be reviewed at the Committee level.

Dr. Lichtman suggested that for the first four mandatory hours listed in assessment and diagnostic procedures (Qualifying Subject Area #1), he would like to see the mandatory hour expanded to radiology and interpretation of blood and urinalysis test results (Qualifying Subject Areas #1-3).

#### **Update, Discussion and Possible Action on Enforcement Committee Meeting Agenda**

Dr. Azzolino updated the Board on the Expert Witness process. The Committee has reviewed the entire Expert Witness program, expert selection process, minimum monthly hours of practice for the experts, minimum years of practice to participate and have explored the option of having the expert witnesses submit a writing sample that specifically draws upon a real enforcement case.

Dr. Azzolino asked for clarification from Mr. Puleo regarding whether or not cited licensees are

receiving a letter with all the rules and regulations. Mr. Puleo stated that they are not currently, but at the closure of the complaint, they do receive the regulations and are encouraged to maintain their understanding of the law. Dr. Azzolino suggested that this should occur prior to the closure of a complaint and he would like it to occur when the complaint is filed.

Dr. Azzolino reported that the Enforcement Committee recommended that a statement of qualification be required from expert witness applicants, as well as a sample report. Additionally, the Committee suggested screening by staff of the potential expert witness.

Dr. Dehn suggested allowing the expert witness candidates to view previous disciplinary cases and compose their own reports.

Mr. McCarther clarified that the Committee will identify a baseline case for applicants to review, that would be typical of the enforcement cases they would review.

### **Update, Discussion and Possible Action on Government & Public Relations Committee Meeting Agenda**

Dr. Dehn updated the Board that at the May 21<sup>st</sup>, 2018 Committee meeting, members discussed and approved the inclusion of sections into the Board Member Administrative Procedure Manual (BMAPM) referring to the role of Board Officers, Bagley-Keene Open Meetings Act, periodic fee audits, and clarification regarding when strategic planning should take place.

Mr. Ruffino recommended on page eight, the duties listed under the Board Chair, language should be included that the Chair "with Board concurrence" can appoint committees. Another item for correction, under the Vice Chair section, should change the word "president's" to "chair's".

Mr. Ruffino also noted under the Chair's responsibilities, "Board Members" should be included in the following sentence: "Verifies accuracy and approves timesheets. Approves travel and sign travel expense claims for the EO".

Mr. Ruffino noted on page 18, Communication Between Officers, potentially violated the Bagley-Keene Act. Mr. Puleo suggested that this passage does not refer that the Chair, Vice-Chair and Secretary are in communication with each other but that they must individually have a timely response to Board matters.

Mr. Swenson confirmed that Board Members can discuss the agenda, planning, and coordination of meetings but not the policy decisions that would take place at the meetings.

Mr. Ruffino identified another area of correction on page 10, under Agenda Items. Mr. Ruffino would like the first sentence to include that the Secretary may also receive agenda items for future Board Meetings. Also, Mr. Ruffino questioned whether the Board was satisfied with the third paragraph under this section.

On page 18, Mr. Ruffino specified under Committee Appointments, that 'with Board approval' be included in the first sentences of the second paragraph.

Mr. Puleo reminded the Board that they can vote on any of these suggestions for change, individually or as a whole.

Dr. Dehn would like clarification from Mr. Ruffino, did he wish to have something added to page 18 regarding Board communication not violating the Bagley-Keene Act? Mr. Ruffino responded, yes, he believes adding a sentence of clarification would be helpful.

Dr. Azzolino added that the distribution of responsibilities is very weighted under the Chair. He would like to see language added to allow some of the roles broken up among the other Board Members or that the Board Chair coordinates with who would be the most qualified person to handle those responsibilities. Dr. Azzolino would also like to have mentees trained in these capacities, to maintain a succession plan.

Dr. Azzolino recommended that outside of the Chair signing Board letters, the other duties could be facilitated through the Board Chair and assigned to other Board Members.

Mr. Puleo suggested that the proposed changes be taken back to Committee for further review. Mr. Puleo recommended that each Board Member individually submit their recommended changes to him. Mr. Puleo will submit the document to all Board Members and ensure that each Member's changes are identified.

The Board acknowledged that they would provide Mr. Puleo with their individual changes to the BMAPM document, and further review by the Government and Public Relations Committee would not be required.

Dr. Dehn wanted to take the opportunity to point out to the Board, that on page 24, additional language was added under Strategic Planning section. And under the Periodic Fee Audit section new language was added that was previously recommended by the full Board. She appreciates their review of these two sections.

Mr. Puleo reminded the Board that it would be prudent to motion to table this discussion and carry it forward to the next meeting.

**MOTION: DR. AZZOLINO MOVED TO TABLE DISCUSSION REGARDING THE BOARD MEMBER ADMINISTRATIVE PROCEDURE MANUAL UNTIL THE NEXT BOARD MEETING. SECOND: MR. RUFFINO SECONDED THE MOTION.**

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)**

**MOTION: CARRIED**

Dr. Dehn introduced the next item from the Committee, as Procedures for Electing Officers, including staff recommendations for nomination procedures.

Mr. Puleo reminded the Board, that one of these options would potentially become included into the BMAPM, should the Board approve one.

Mr. Ruffino posed a question to the Board, inquiring who consisted of the 10 programs that were utilized in the review process to develop these suggestions. Mr. Puleo responded that they were other Department of Consumer Affairs regulatory Boards that were reviewed.

Mr. Ruffino asked the DCA representative, Patrick Le, what guidelines the Department had regarding Board's election processes.

Mr. Le responded that DCA defers to each Board to determine how they individually choose to hold their election processes.

Mr. Ruffino stated that prior to the election day was an item of concern and one that needed to be addressed. He wished to move forward from that point and to suggest fair processes going forward for the Board.

Mr. Ruffino posed a question to Mr. Puleo, whether in his research he came across policy relating to staff involvement in the election process. Mr. Puleo responded that in some instances the Executive Officer can send out a memo to the Board in advance of the meeting, or in some instances the Executive Officer asked for nominations to be submitted in advance of the meeting. Mr. Ruffino appreciated Mr. Puleo's research into the election processes.

Mr. Ruffino made a recommendation to the Board to include a sentence about staff involvement, whether staff should play a role, or not, and consequences thereof. And he would also like language added regarding the campaigning and soliciting of Board Member's votes by phone, in terms of what is permissible or not.

Mr. Ruffino went on to suggest that, while he did not have specific verbiage, he felt language should be included that prohibited staff involvement in the election process.

Mr. Puleo and Mr. Ruffino discussed past elections.

Dr. Azzolino interjected to suggest that staff should not make recommendations for Board Members. He also stated that should the language need to be greatly altered, it might be best to hold off on a decision until a later Board Meeting.

Dr. Dehn suggested that much like the recommendations for the BMAPM, Board Members should submit language for changes regarding the election process document, so that further review and discussion can occur at the next full Board Meeting.

Dr. Azzolino suggested a statement be included to the election process document that the individual nominating themselves should submit a statement of qualifications.

Mr. McCarther responded that that suggestions had been reviewed and agreed upon by the Committee but had been erroneously left out of this document. Dr. Azzolino thanked Mr. McCarther for the update.

Dr. Azzolino posed a question to the Board, about what would be an appropriate amount of time to submit the statements to the Board. Mr. Puleo responded that it would be at the Board's preference to determine a time frame but that it potentially limits flexibility and decision making on part of the Board Members in the nomination process.

The Board discussed several options available to them within the election process document.

Dr. Azzolino proposed to the Board, that with two members absent they should abstain from voting and conduct the review at a later time, when the other members are present.

Dr. Dehn suggested narrowing down the potential options at the present meeting and potentially conducting the vote later.

The Board discussed the merits of having a thorough discussion with the two Board Members absent.

Mr. Ruffino suggested having the Chair appoint a nomination committee, that could make recommendations for nominees. Dr. Azzolino questioned if the size of the Board would preclude a successful committee. The success of such a committee was discussed.

Mr. Swenson recommended that the Board move to table the discussion regarding nomination and election procedures and discuss it at the next full Board Meeting.

**MOTION: MR. RUFFINO MOVED TO TABLE DISCUSSION REGARDING ELECTION PROCEDURES UNTIL THE NEXT BOARD MEETING.  
SECOND: DR. AZZOLINO SECONDED THE MOTION.**

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)  
MOTION: CARRIED**

Dr. Dehn introduced the next topic of the Committee, SB 1480 (Hill) Professions and vocations.

**MOTION: DR. AZZOLINO MOVED TO SUPPORT SB 1480 (HILL) PROFESSIONS AND VOCATIONS.  
SECOND: DR. LICHTMAN SECONDED THE MOTION.**

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)  
MOTION: CARRIED**

Dr. Dehn introduced topic SB1448 (Hill) Probation status: disclosure.

**MOTION: DR. AZZOLINO MOVED TO SUPPORT SB 1448 (HILL) PROBATION STATUS: DISCLOSURE.  
SECOND: DR. DEHN SECONDED THE MOTION.**

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)  
MOTION: CARRIED**

Dr. Dehn introduced the final topic, AB 2138 (Chiu) Denial of application: revocation or suspension of licensure: criminal conviction.

Mr. Puleo offered an overview; the bill creates barriers for those wishing to enter a licensed profession, who have been previously incarcerated. The Boards currently have very thorough processes regarding vetting applicants and their past convictions, as they relate to their profession.

Mr. Puleo noted that the bill, as printed, will be changing. He recommends that the Board continue to watch this bill and continue to work with the authors office to facilitate any concerns.

**MOTION: DR. AZZOLINO MOVED TO WATCH AB 2138 (CHIU) DENIAL OF APPLICATION: REVOCATION OR SUSPENSION OF LICENSURE: CRIMINAL CONVICTION.**

**SECOND: MR. RUFFINO SECONDED THE MOTION.**

**VOTE: 4-0 (DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. AZZOLINO-AYE, MR. RUFFINO-AYE)**

**MOTION: CARRIED**

**Update, Discussion and Possible Action on Pending Rulemaking:**

Mr. McCarther stated that there have not been any updates, however, the application for regulation is close to the 30-day deadline for approval or disapproval. He is hopeful for a response soon.

Dr. Dehn posed a question regarding whether the Consumer Protection Enforcement Initiative (CPEI) was still with Department of Consumer Affairs.

Mr. McCarther responded that CPEI and Delegation for Authority were submitted to Legal Counsel. Once an approval or disapproval has been granted on the application regulation, attention will be turned to the CPEI and Delegation for Authority.

Mr. Puleo reminded the Board that there is a staff member focused on assisting with these regulations. Also, as the Policy Analyst position is still vacant, Mr. McCarther has been assisting with two positions.

The Board congratulated Mr. McCarther on his dedication to the Board.

**Public Comments For Items Not On The Agenda**

There were none

**Future Agenda Items**

Mr. Ruffino suggested adding two pieces of legislature to the agenda. First, the Louisiana House bills 748 and 372 related to limiting certifications; and Missouri House bill 1500.

Mr. Puleo will research these topics.

Mr. Ruffino put forward another suggestion for the agenda, establishing a special committee of the Board to open the Chiropractic Act of 1922.

Mr. Ruffino also suggested providing meeting materials to the Board well in advance of a full Board Meeting. He proposed agenda materials be provided to the Board 15 working days prior to the Board Meeting.

Mr. Puleo mentioned that because the agenda is publicized 10 days prior to a Board Meeting, it would be unlikely that agenda material would be able to be furnished prior to the finalized agenda.

Mr. Ruffino would like this topic added to the agenda to explore the possibilities.

Mr. Ruffino also suggested a 30-day maximum time frame for receiving Board Meeting minutes after a meeting.

Mr. Ruffino would also like committee compositions and a roster of committees to be provided. He also requested to be added to the Government Affairs Committee as a member.

### **Adjournment**

Dr. Dehn adjourned the meeting at 6:25pm.

DRAFT



**(ATTACHMENT A)**

Approval by Ratification of Formerly Approved License Applications  
January 1, 2018 and March 31, 2018

<b>Name (First, Middle, Last)</b>			<b>Date Issued</b>	<b>DC#</b>
Artin		Balalian	1/4/2018	34087
Bryan		Abasolo	1/11/2018	34088
Sang	Do	Lee	1/16/2018	34089
Michelle	Christine	Hoinsky	1/19/2018	34090
Kylie	Lynn	Hunsaker	1/19/2018	34091
Alexa	Kristina	Chilian	1/23/2018	34092
Daniel	Christopher	Kimbley	1/23/2018	34093
Sayed	Naweed	Miry	1/23/2018	34094
Milan	John	Anderson	1/25/2018	34095
Hannah	Elizabeth	Flammang	1/29/2018	34096
Leana		Liu	1/29/2018	34097
Lucas		Melendez	1/29/2018	34098
Scott	Andrew	Carlton	2/1/2018	34099
Michelle	Nicole	Green	2/1/2018	34100
Ledia		Mati	2/1/2018	34101
Daniel	Patrick	Miller	2/1/2018	34102
Alex	Jordan	Silver	2/1/2018	34103
Brandon	Steven	Slaugh	2/1/2018	34104
Morgan	Fredrick	Smith	2/1/2018	34105
Juan	Jesus	Villa	2/1/2018	34106
Trevor	Guida	Wendel	2/1/2018	34107
Elizabeth	Anne	Williams	2/1/2018	34108
Kody	Takeo	Fudenna	2/5/2018	34109
Patrick		Karamkhodian	2/5/2018	34110
Kristin	Victoria	Palase	2/5/2018	34111
Rhett	William	Adams	2/5/2018	34112
Raymond	Michael	Pulmano	2/5/2018	34113
Georgina		Villa Escobedo	2/5/2018	34114
Li		Yin	2/5/2018	34115
Tayte		Hines	2/8/2018	34116
Corey	L. D.	Cook	2/8/2018	34117
Julia	Michelle	Culbertson	2/8/2018	34118
William	Park	Goodman	2/8/2018	34119
Shayna	Chrystine	Guitare	2/8/2018	34120
Shayda		Kianfar	2/8/2018	34121



Keith	A	Kowalczyk	2/8/2018	34122
Sheena	S	Lee	2/8/2018	34123
Veronica	Lynne	Wilkins	2/8/2018	34124
Alexandra	Nicole	Andersson	2/8/2018	34125
Shane	Pitman	Kelly	2/8/2018	34126
Sean	Thompson	Woolery	2/8/2018	34127
Tina		Noorishad	2/9/2018	34128
Tess	Alexis	Noriega	2/9/2018	34129
Justin	Wade	Dean	2/21/2018	34130
Michael	William	Hinderman	2/21/2018	34131
Colton	Christopher	King	2/21/2018	34132
Kimberley	Alexandra	Maugeri	2/21/2018	34133
Michelle Rae	Nunez	Pascal	2/21/2018	34134
Taylor	Raymond	Pascal	2/21/2018	34135
Kaci	Tristan	Madden	2/23/2018	34136
Kushalmeet	Kaur	Pawar	2/23/2018	34137
Kristopher	Michael	Birkeland	2/23/2018	34138
David	Randolph	Holmes	2/23/2018	34139
Stephanie		Chen	2/26/2018	34140
Andrew	Benjamin	Curcuru	2/26/2018	34141
Ryan	Tucker	Mijares	2/26/2018	34142
Theodore	John	Thatcher	2/28/2018	34143
Adrian	Ventura	Villalba	2/28/2018	34144
Nicholas	Steven	Berglund	2/28/2018	34145
Hoi	Fan	Poon	2/28/2018	34146
Sura		Al-Shibib	3/2/2018	34147
Chase	Michael	Parlett	3/2/2018	34148
Satin	Ashlee	Perez	3/2/2018	34149
Joshua	Insoo	Choi	3/5/2018	34150
Bryanna	Renee	Esquivel	3/5/2018	34151
Jennifer	Elizabeth	Drumm	3/5/2018	34152
Nalani	Ashley	Camat	3/7/2018	34153
Garik		Mananian	3/7/2018	34154
Joseph	Anthony	Mattina	3/7/2018	34155
Ha	Khanh	Truong	3/7/2018	34156
Ramneek	Singh	Bhogal	3/8/2018	34157
Amy	Christine	McLane	3/8/2018	34158
David	Daniel	Pretzinger	3/8/2018	34159
Aaron	B	Schneider	3/8/2018	34160
Erica	Louise	Smith	3/8/2018	34161
Dane	Colby	Wimmer	3/14/2018	34162

Jeffrey	Joe Dack Wing	Wong	3/14/2018	34163
Dennis	Matthew	Hatch	3/15/2018	34164
Charlie		Khong	3/15/2018	34165
Scott	Edward	Kolofer	3/15/2018	34166
Diana	Therese	Leon	3/15/2018	34167
Zachary	Edward	Uhler	3/15/2018	34168
Alexander	Joshua	Peters	3/19/2018	34169
Andrea	Carolina	Furst	3/19/2018	34170
Ruben	Ryan	Quinonez	3/19/2018	34171
Amanda	Dawn	Lux Hein	3/19/2018	34172
Daniel		Demerjian	3/19/2018	34173
David	Joseph	Gilligan	3/21/2018	34174
Trevor	Ives	MacLeod	3/21/2018	34175
Monique	Marlene	Andrews	3/21/2018	34176
Brenna	Kathleen	Erickson	3/21/2018	34177
Veronique	Emma	Wagner	3/22/2018	34178
Lisa	Anne	Parissi	3/22/2018	34179
Marco	Antonio	Ruvalcaba	3/22/2018	34180
Kristen	Lee	Kozasky	3/22/2018	34181
Michael	Joseph	Pierce	3/27/2018	34182
Mandice	Myrsha	Williams	3/27/2018	34183
Shelley	Micheline	Pinard	3/29/2018	34184
Alexis	Pouran	Jahangiri	3/29/2018	34185
Kellen	Douglas	Otte	3/29/2018	34186

(ATTACHMENT B)

Ratification to Approve for New Continuing Education Providers

<b>CONTINUING EDUCATION PROVIDERS</b>	<b>DATE</b>
1. <u>Michelle A. Largent, D.C.</u>	<u>06/05/18</u>
2. <u>Michael J. Hollis</u>	<u>06/05/18</u>
3. <u>Jonathan Brand</u>	<u>06/05/18</u>
4. <u>Stephanie Libs, D.C.</u>	<u>06/05/18</u>
5. <u>David Goldeen</u>	<u>06/05/18</u>
6. <u>Dirk A. Farrell, D.C.</u>	<u>06/05/18</u>
7. <u>Barbara Berkeley, D.C.</u>	<u>06/05/18</u>
8. <u>Jess P. Armine, D.C.</u>	<u>06/05/18</u>
9. <u>Frank Springob, D.C.</u>	<u>06/05/18</u>
10. <u>Thomas Bynes, DC</u>	<u>06/05/18</u>
11. <u>Donald Baune</u>	<u>06/05/18</u>
12. <u>Diane Waye- Stretching by the Bay</u>	<u>06/05/18</u>
13. <u>Aspine Health Group, Inc.</u>	<u>06/05/18</u>
14. <u>Dr. Calvin B. Ross</u>	<u>06/05/18</u>
15. <u>Russell Whitten DC</u>	<u>06/05/18</u>
16. <u>TTAPS</u>	<u>06/05/18</u>
17. <u>Nevada Chiropractic Council</u>	<u>06/05/18</u>
18. <u>DJO, LLC</u>	<u>06/05/18</u>
19. <u>Jeffrey A. Finnigan</u>	<u>06/05/18</u>
20. <u>QNRT Professional Association</u>	<u>06/05/18</u>
21. <u>Nourish Nutrition, Inc</u>	<u>06/05/18</u>



State of California  
Edmund G. Brown Jr., Governor

**Agenda Item 9**  
**August 9, 2018**

## **Ratification of Approved License Applications**

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### **Purpose of the item**

The Board will review and ratify the attached list of approved license applications.

### **Action(s) requested**

A motion is needed to ratify the attached list of approved license applications.

### **Background**

Between April 1, 2018 and June 30, 2018, staff reviewed and confirmed that the applicants met all statutory and regulatory requirements.

### **Recommendation(s)**

Staff requests the Board approve the list of approved license applications.

### **Next Step**

N/A

### **Attachment(s)**

- List of formerly approved license applications issued between April 1, 2018 and June 30, 2018.



State of California  
Edmund G. Brown Jr., Governor

Name (First, Middle, Last)			Date Issued	DC#
	Gunnar			
Martin	Rasmussen	Hodgson	4/4/2018	34187
Erika	Marie	Wiger	4/4/2018	34188
Cecilia	Marina	Bettencourt	4/4/2018	34189
Brett		Wee	4/4/2018	34190
Katelyn	Rose	Cresta	4/6/2018	34191
Nathan	Christopher	Marshall	4/6/2018	34192
Eugene		Moznavsky	4/6/2018	34193
I-Chen		Lee	4/6/2018	34194
Yang		Yang	4/11/2018	34195
Hannah	Hyunah	Yoon	4/11/2018	34196
Hyungjoon		Kim	4/11/2018	34197
Kevin	Joseph	Johnson	4/30/2018	34198
Andrew	Michael	Mackie	4/30/2018	34199
Loretta		Mears	4/30/2018	34200
Grace	Jeanee	Chang	5/1/2018	34201
Michael	Timothy	Donohue	5/1/2018	34202
Adam	Garold Joseph	Scofield	5/1/2018	34203
Nathan	Jude	Luczynski	5/1/2018	34204
Danielle	Marie	Cipollo	5/2/2018	34205
Ulysses		Espinosa	5/2/2018	34206
Jui-Chung	John	Lin	5/2/2018	34207
Kenneth	Edward	Crum	5/3/2018	34208
Ryan	Gregory	Hamilton	5/3/2018	34209
James	Daniel	Hook	5/3/2018	34210
Sydney	Paige	Oberstein	5/3/2018	34211
Kevin	Sam	Choo	5/3/2018	34212
Mercedes	Guadalupe	Leigh	5/3/2018	34213
John	William	Christman	5/9/2018	34214
Mary	Louise	Garrett	5/9/2018	34215
Ian	Michael	Johnson	5/9/2018	34216
Ashli	Joy	Robertson	5/9/2018	34217
Kimia	Sanaz	Shakerpoor	5/9/2018	34218
Brian	Chen	Wang	5/9/2018	34219
Kaitlin	Elizabeth	Davis	5/9/2018	34220



State of California  
Edmund G. Brown Jr., Governor

Polette		Alexanian	5/10/2018	34221
Michael	Robert	Dellacorte	5/10/2018	34222
Narbeh		Hakopian	5/10/2018	34223
Elise	Mari	Hamilton	5/10/2018	34224
William		Vy	5/10/2018	34225
Madeline	Rachel	Wallace	5/16/2018	34226
Yeesul		Yoo	5/16/2018	34227
Christina	Gayle	Goulart	5/16/2018	34228
Eduardo	Theo	Torres	5/16/2018	34229
Yang		Hsiang	5/16/2018	34230
Leo	Charles	Kormanik II	5/16/2018	34231
Cody	Alan	Miller	5/16/2018	34232
Christopher	Andrew	Duong	5/24/2018	34233
Justin	Michael	Wilcox	5/24/2018	34234
Darrin	Mitchell	Barry	5/24/2018	34235
Alexander	Helmut	Eppich	5/24/2018	34236
Arielle	Leigh Devyn	Rubinoff	5/24/2018	34237
Gunawan	Riray	Poespowidjojo	5/29/2018	34238
Amos	Young Won	Chon	5/29/2018	34239
Christopher	James	Cucullu	6/4/2018	34240
Steven	Beau	Fantasia	6/4/2018	34241
Martha	K	Mekonen	6/4/2018	34242
Angelica	M	Ortiz	6/4/2018	34243
Gary	William	Tanchak	6/4/2018	34244
Israel		Calva-Rosales	6/6/2018	34245
Carlina	Alese	Carpenter	6/6/2018	34246
Bassam		Slibi	6/6/2018	34247
Arthur	Verrett	Lewis	6/6/2018	34248
Julie	Ho Yan	Lau	6/7/2018	34249
Roland	Wellington	Quan	6/7/2018	34250
Myra-Ashley	Yu	Amparo	6/7/2018	34251
Kayla	Marie	Bravo	6/7/2018	34252
Susanna	Susie	Drmandjian	6/7/2018	34253
William	Ryan	Fisher	6/7/2018	34254
Mina		Lahijani	6/7/2018	34255
Esteban		Sandoval	6/7/2018	34256
Alicia	Marie	Strunk	6/7/2018	34257
Beau	Joseph	Rhodes	6/12/2018	34258



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Phillip	Mario	Vournazos	6/12/2018	34259
Zara		Ali	6/14/2018	34260
Aaron	Gabriel	Stern	6/14/2018	34261
Christopher	Allen	Visico	6/14/2018	34262
Rachel	Anne	Clark	6/14/2018	34263
Enrique		Prieto	6/14/2018	34264
Anthony	James	Cipperoni	6/14/2018	34265
Grayson	Cole	Pomeroy	6/14/2018	34266
Cody	Alexander	Soofoo	6/14/2018	34267
Vartan		Vartanyan	6/27/2018	34268
Austin	James	Lane	6/27/2018	34269
Arica		Roetemeyer	6/27/2018	34270
Gregory	Scott	Stayberg	6/27/2018	34271
Robert	Paul	Iannessa Jr	6/29/2018	34272
Michael	Ian	Lichtman	6/29/2018	34273
Cara-Celeste		Parot	6/29/2018	34274
John	Edwin	Schellenberg	6/29/2018	34275
Marissa	Anne	Sturges	6/29/2018	34276
Nicholas	Johnson	Tashiro	6/29/2018	34277
Jackson	Harper	Wagner	6/29/2018	34278



State of California  
Edmund G. Brown Jr., Governor

**Agenda Item 10**  
**August 9, 2018**

## **Ratification of Denied License Applications**

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### **Purpose of the item**

The Board will review and ratify denied license applications in which an applicant did not appeal the Board's decision.

### **Action(s) requested**

No action requested at this time.

### **Background**

The Board of Chiropractic Examiners denies licensure to applicants who do not meet all statutory and regulatory requirements for a chiropractic license in California. Following a denial of licensure, an applicant has 60-days to appeal the Board's decision. If the applicant does not submit an appeal to the Board, the denial is upheld.

### **Recommendation(s)**

During the period of April 1, 2018 to June 30, 2018, staff has reviewed and confirmed that applicants met all statutory and regulatory requirements for licensure. There were no denials or appeals during this time period.

At this time, no ratification is necessary.

### **Next Step**

N/A

### **Attachment(s)**

N/A





State of California  
Edmund G. Brown Jr., Governor

Agenda Item 11  
August 9, 2018

## Ratification to Approve Continuing Education Providers

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### **Purpose of the item**

The Board will be asked to review and ratify the new continuing education (CE) providers.

### **Action(s) requested**

The Board will be asked to ratify the following new CE providers:

<u>CONTINUING EDUCATION PROVIDERS</u>	<u>DATE</u>
1. <u>Neuro Orthopaedic Institute - NOI US</u>	<u>08/09/18</u>
2. <u>Gregory Plaucher, D.C.</u>	<u>08/09/18</u>
3. <u>Donald James Richardson, D.C., D.A.C.B.S.P., C.S.C.S.</u>	<u>08/09/18</u>
4. <u>Henry Kan</u>	<u>08/09/18</u>
5. <u>Rex Allen Stevens</u>	<u>08/09/18</u>
6. <u>Dr. John Blenio, D.C.</u>	<u>08/09/18</u>

### **Background**

N/A

### **Recommendation(s)**

Staff requests the Board approve the new continuing education providers.

### **Next Step**

N/A

### **Attachment(s)**

N/A



State of California  
Edmund G. Brown Jr., Governor  
BOARD OF CHIROPRACTIC EXAMINERS

2018 JUN 21 PM 2:30

## CONTINUING EDUCATION PROVIDER APPLICATION

**ALL** questions on this application must be answered. **New CE Provider Applications** - Submit a complete application package including one original application with the application fee of \$75.00. **CE Provider Biennial Renewal Reapplication** - Submit a complete application package including one original application with the application fee of \$50.00. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. The Board will not process incomplete applications nor applications that do not include the correct application fee. Provider approval shall expire two years following the approval date.

**FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL**

Please check the appropriate box:

**New CE Provider Application - \$75**     **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name:	Neuro Orthopaedic Institute / NOI US
------------------	--------------------------------------

Street Address			857 Montgomery Avenue, Suite 2		
City		State		Zip Code	
Penn Valley		PA		19072	
CE Oversight Contact Person:		Telephone Numbers:		Email Address	
Stephanie Wilson		Residence: ( ) Business: (908) 329-0270		stephanie@noigroup.com	

Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion)	Stephanie Wilson
--	------------------

### Provider Status

<input type="checkbox"/> Individual	<input type="checkbox"/> Corporation	<input type="checkbox"/> Health Facility	<input type="checkbox"/> University/College
<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Professional Association	<input type="checkbox"/> Government Agency	

Office Use Only	
Receipt No. _____	Date cashiered <u>JUN 22 2018</u> \$ <u>75</u>

(Rev. 02/10)

T (916) 263-5355    Board of Chiropractic Examiners  
 F (916) 327-0039    901 P Street, Suite 142A  
 TT/TDD (800) 735-2929    Sacramento, California 95814  
 Consumer Complaint Hotline    www.chiro.ca.gov  
 (866) 543-1311

000385528



## CONTINUING EDUCATION PROVIDER APPLICATION

ALL questions on this application must be answered. **New CE Provider Applications** - Submit a complete application package including one original application with the application fee of \$75.00. **CE Provider Biennial Renewal Reapplication** - Submit a complete application package including one original application with the application fee of \$50.00. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. The Board will not process incomplete applications nor applications that do not include the correct application fee. Provider approval shall expire two years following the approval date.

**FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL**

Please check the appropriate box:

**New CE Provider Application - \$75**     **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name:	Gregory Plaugher, D.C.		
------------------	------------------------	--	--

Street Address	1095 Pacific Ave.		
City	San Francisco	State	CA
		Zip Code	94133
CE Oversight Contact Person:	Telephone Numbers:	Email Address	
Greg Plaugher	Residence: (415) 412 5930	gregory.plaugher@gmail.com	
	Business:		

Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion)	Gregory Plaugher, D.C.
--	------------------------

**Provider Status**

<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Corporation	<input type="checkbox"/> Health Facility	<input type="checkbox"/> University/College
<input type="checkbox"/> Partnership	<input type="checkbox"/> Professional Association	<input type="checkbox"/> Government Agency	

Office Use Only		
Receipt No. _____	Date cashiered JUN 26 2018	\$75

(Rev. 02/10)

000385802





BOARD OF CHIROPRACTIC EXAMINERS  
2018 JUN -5 PM 2:36



State of California  
Edmund G. Brown Jr., Governor

# CONTINUING EDUCATION PROVIDER APPLICATION

ALL questions on this application must be answered. **New CE Provider Applications** - Submit a complete application package including one original application with the application fee of \$75.00. **CE Provider Biennial Renewal Reapplication** - Submit a complete application package including one original application with the application fee of \$50.00. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. The Board will not process incomplete applications nor applications that do not include the correct application fee. Provider approval shall expire two years following the approval date.

**FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL**

Please check the appropriate box:

**New CE Provider Application - \$75**     **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name: Donald James Richardson, DC, DACBSP, CSCS

Street Address 10628 Riverside Dr #5

City Toluca Lake      State Ca      Zip Code 91602

CE Oversight Contact Person: Donald Richardson      Telephone Numbers: Residence: (818) 681-4196      Email Address: donaldrichardson@ic@gmail.com  
Business: (218) 508-6188

Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion)  
Donald Richardson

**Provider Status**  
 Individual     Corporation     Health Facility     University/College  
 Partnership     Professional Association     Government Agency

Office Use Only  
Receipt No. \_\_\_\_\_ Date cashiered JUN 06 2018    \$75

(Rev. 02/10)

T (916) 263-5355 | Board of Chiropractic Examiners  
F (916) 327-0039 | 901 P Street, Suite 142A  
TT/TDD (800) 735-2929 | Sacramento, California 95814  
Consumer Complaint Hotline | www.chiro.ca.gov  
(366) 543-1311

000384542

BOARD OF  
CHIROPRACTIC EXAMINERS  
2018 JUL 11 PM 1:37



State of California  
Edmund G. Brown Jr., Governor

License No.  
27615

## CONTINUING EDUCATION PROVIDER APPLICATION

**ALL** questions on this application must be answered. **New CE Provider Applications** - Submit a complete application package including one original application with the application fee of \$75.00. **CE Provider Biennial Renewal Reapplication** - Submit a complete application package including one original application with the application fee of \$50.00. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. The Board will not process incomplete applications nor applications that do not include the correct application fee. Provider approval shall expire two years following the approval date.

**FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL**

Please check the appropriate box:

**New CE Provider Application - \$75**     **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name: <i>Henry Kan</i>		
Street Address <i>2095 S. Atlantic Blvd, 2ND Floor</i>		
City <i>Monterey Park</i>	State <i>CA</i>	Zip Code <i>91754</i>
CE Oversight Contact Person: <i>Leely Lina &amp; Tina Van</i>	Telephone Numbers: Residence: Business: <i>(626) 965-9078</i>	Email Address <i>optimalhealthmedcenter@gmail.com</i>
Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion) <i>Tina Van</i>		

### Provider Status

Individual     Corporation     Health Facility     University/College  
 Partnership     Professional Association     Government Agency

Office Use Only		
Receipt No. _____	Date cashiered <i>JUL 12 2018</i>	<i>\$ 75</i>

(Rev. 02/10)

000386575





BOARD OF CHIROPRACTIC EXAMINERS  
2018 JUL 13 PM 12:49



State of California  
Edmund G. Brown Jr., Governor

# CONTINUING EDUCATION PROVIDER APPLICATION

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**FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL**

Please check the appropriate box:

**New CE Provider Application - \$75**     **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name: **REX ALLEN STEVENS**

Street Address <b>1428 PHILLIPS LN, SUITE 300</b>		
City <b>SAN LUIS OBISPO</b>	State <b>CA</b>	Zip Code <b>93401</b>
CE Oversight Contact Person: <b>REX STEVENS</b>	Telephone Numbers: Residence: <b>(972) 401 3048</b> Business: <b>(805) 543 8688</b>	Email Address <b>drrex@slowellness.com</b>

Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion)  
**REX STEVENS**

### Provider Status

<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Health Facility	<input type="checkbox"/> University/College
<input type="checkbox"/> Partnership	<input type="checkbox"/> Professional Association	<input type="checkbox"/> Government Agency	

Office Use Only	
Receipt No. _____	Date cashiered <b>JUL 13 2018</b> <b>\$75</b>

(Rev. 02/10)

T (916) 263-5355	Board of Chiropractic Examiners
F (916) 327-0039	901 P Street, Suite 142A
TT/TDD (800) 735-2929	Sacramento, California 95814
Consumer Complaint Hotline	www.chiro.ca.gov
(866) 543-1311	

000386855



BOARD OF CHIROPRACTIC EXAMINERS  
2018 JUL 12 PM 4:40



State of California  
Edmund G. Brown Jr., Governor

## CONTINUING EDUCATION PROVIDER APPLICATION

**ALL** questions on this application must be answered. **New CE Provider Applications** - Submit a complete application package including one original application with the application fee of \$75.00. **CE Provider Biennial Renewal Reapplication** - Submit a complete application package including one original application with the application fee of \$50.00. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application. The Board will not process incomplete applications nor applications that do not include the correct application fee. Provider approval shall expire two years following the approval date.

**FALSIFICATION OR MISREPRESENTATION OF ANY ITEM OR RESPONSE ON THIS APPLICATION OR ANY ATTACHMENT HERETO IS SUFFICIENT BASIS FOR DENYING COURSE APPROVAL**

Please check the appropriate box:

**New CE Provider Application - \$75**     **CE Provider Biennial Renewal Reapplication - \$50**

Provider's Name:	Dr. John Blenio, D.C.
------------------	-----------------------

Street Address 3455 Pacific Blvd., Suite 3		
City San Mateo	State CA	Zip Code 94403
CE Oversight Contact Person: Dr. John Blenio	Telephone Numbers: Residence: (415) 509-5135 Business: (650) 735-1716	Email Address jblenio@yahoo.com

Name of Provider's Designated Representative: (Individual responsible for signing certificates of course completion) Dr. John Blenio, D.C.
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### Provider Status

<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Corporation	<input type="checkbox"/> Health Facility	<input type="checkbox"/> University/College
<input type="checkbox"/> Partnership	<input type="checkbox"/> Professional Association	<input type="checkbox"/> Government Agency	

Office Use Only	
Receipt No. _____	Date cashiered <u>JUL 13 2018</u> \$75

(Rev. 02/10)

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Consumer Complaint Hotline    www.chiro.ca.gov  
(866) 543-1311

000386856



State of California  
Edmund G. Brown Jr., Governor

**Agenda Item 12**  
**August 9, 2018**

## **Executive Officer's Report**

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### **Purpose of the item**

The Executive Officer will provide the Board Members an update on statistics related to Board Administration, Budget, Licensing and Enforcement. Board Members will have the opportunity to ask questions as necessary.

### **Action(s) requested**

No action requested at this time.

### **Background**

#### A. Administration

- Natalie Boyer has accepted the Staff Services Analyst position for the CE Coordinator in the Licensing and Continuing Education Unit.
- Andreia Mendes has accepted the Associate Governmental Program Analyst position for the Policy Analyst in the Administrative/Licensing Unit.
- The Board is preparing documentation for the recruitment of the Staff Services Analyst in the Compliance Unit.

#### B. Budget

- The Executive Officer will provide an overview of the attached Board Fund Condition Report.
- The Executive Officer will also provide an overview of the attached Board Expenditure Report.

#### C. Licensing

- The Executive Officer will provide an overview the attached licensing program data.

#### D. Enforcement



- The Executive Officer will provide an overview the attached Enforcement program data.

**Recommendation(s)**

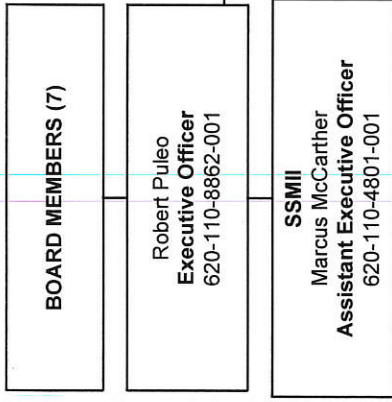
N/A

**Next Step**

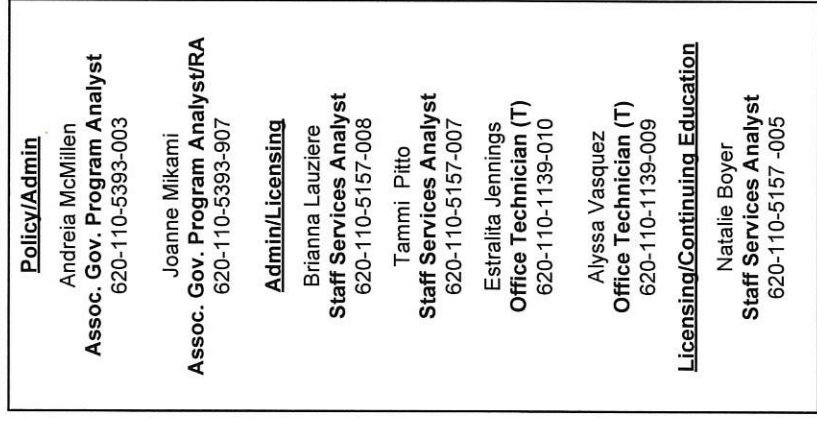
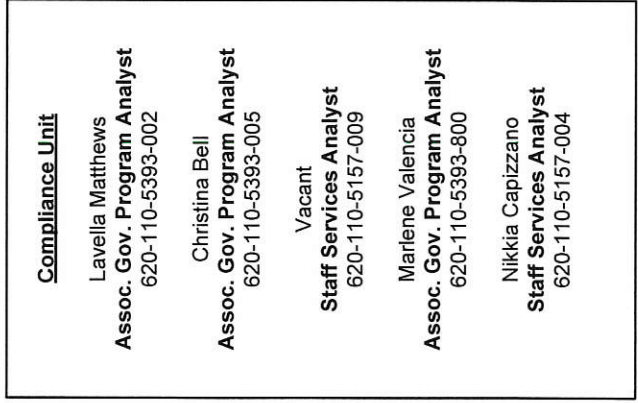
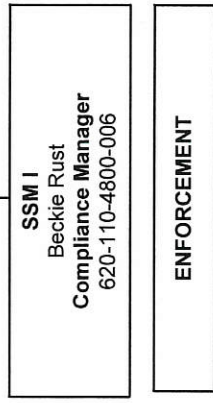
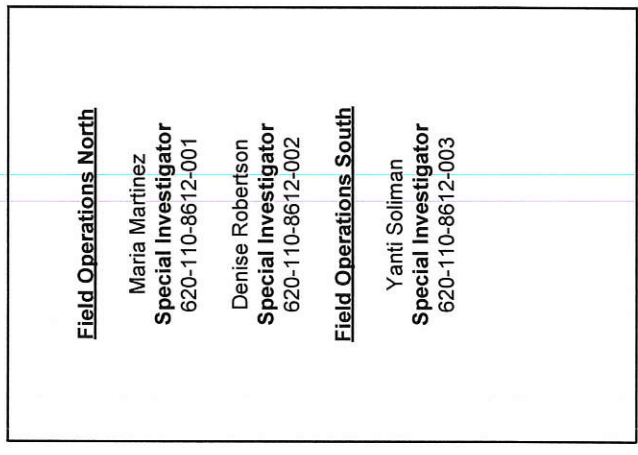
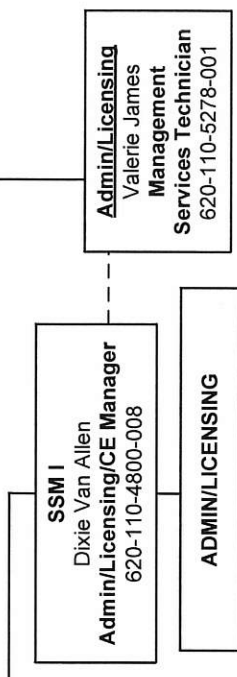
N/A

**Attachment(s)**

- Org Chart/Staff Functions
- Updated Fund Condition
- Licensing Statistics
- Enforcement Statistics



FY: 2017-18  
 Authorized Positions: 19



Executive Officer \_\_\_\_\_

Personnel Office \_\_\_\_\_

## **Board of Chiropractic Examiners Staff Functions**

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**Executive Officer (620-110-8862-001)** – Oversees management of the Board of Chiropractic Examiners. Directs negotiations for stipulated agreements, monitors deadlines and procedures for compliance with the Administrative Procedures Act. Directs the organization and coordination of committee, executive and task force meetings and compilation of data for Board meetings, ensures compliance with the Open Meetings Act, coordinates closed sessions and hearings, attends all Board meetings. Identifies the need for legislation and recommends modifications to existing statutes or regulations to the Board. Oversees all aspects of the legislative and rulemaking processes. Testifies before legislative committees on behalf of the Board, advocates consumer protection and lobbies on behalf of consumers and the Board, interprets and clarifies the Board's Initiative Act, regulations, and policies. Represents the Board before professional and health associations or other state, federal, local, or community groups/entities.

**Assistant Executive Officer (620-110-4801-001)** - Oversees all administrative duties of the Administration, Enforcement, Licensing/Continuing Education, and Field Investigation divisions, directly supervises managers and field staff, assists the EO with special projects, attends Board and Committee meetings, acts as the Board's liaison to DCA, attends all informal office conferences and writes resulting decisions. Oversees management of the Board in the EO's absence and backs up managers in their absence, represents the Board before professional and health associations or other state, federal, local or community groups/entities in the absence of the EO. Develops, reviews and implements policies and operating procedures, directs the development and implementation of regulations adopted by the Board. Advises EO of critical issues which may result in litigation or require legislation, regulations or policy adjustment, oversees the planning and ensures timely preparation and mailing of all Board and Committee materials, directs the preparation of recurring special reports, monitors the Board's revenue and expenditures.

**Compliance Manager (620-110-4800-006)** – Manages and supervises compliance and probation programs/staff, performs case reviews and reviews case closure recommendations, participates in probationer interviews, attends informal citation conferences, reviews administrative citations and fines, monitors monthly caseload statistics, monitors success of Expert Consultant program, reviews AG billing statements for accuracy.

**Compliance Analyst (620-110-5393-002)** - Reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office, prepares packets for Petitioner hearings, evaluates administrative cases, and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, develops settlement and probationary terms for the Executive Officer's approval.

**Probation Monitor (620-110-5393-005)** – Monitors probationers for compliance with conditions and terms of probation, sends letters to probationers who are out of compliance with their terms of probation, coordinates site inspection or suspension visits with field staff, schedules probation interviews, refers cases to Board experts, consults with the AG's office and makes recommendations to management on cases ready for petition to revoke or accusation referral due to non-compliance issues, tracks cases waiting to be heard at Office of Administrative Hearings, recommends settlement or probationary terms for management approval, prepares stay of decision, reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office. Serves as coordinator for the Enforcement Committee.

## **Board of Chiropractic Examiners Staff Functions**

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**Compliance Analyst (620-110-5393-004)** - Reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office, prepares packets for Petitioner hearings, evaluates administrative cases, and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, develops settlement and probationary terms for the Executive Officer's approval. Assists the Policy Analyst with preparing and compiling enforcement related rulemaking documents for the repeal, amendment or adoption of enforcement related regulations.

**Compliance Analyst (620-110-5393-800)** - Reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office, prepares packets for Petitioner hearings, evaluates administrative cases, and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, develops settlement and probationary terms for the Executive Officer's approval.

**Compliance Analyst (620-110-5157-004)** – Assists the public with inquiries about the complaint process, performs intake and assignment of consumer complaints, requests court documents for subsequent arrest reports, requests Interim Suspension Orders or Penal Code 23 assistance, reviews and investigates routine consumer complaints, drafts recommendations for complaints including referral of complaints to the AG's office, reviews administrative cases and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, tracks proposed decisions received and cases awaiting hearing at the Office of Administrative Hearings. Serves as the contact for the National Data Bank reporting.

**Licensing, CE, Administration Manager (620-110-4800-008)** - Manages and supervises licensing, continuing education, and administrative programs and staff, compiles and analyzes licensing workload statistics, assists applicants and licensees with licensing issues, reviews staff recommendations regarding licensure and continuing education applications and grants or denies approval, monitors development and administration of the California Law and Professional Practices Examination, attends Board and committee meetings, assists AEO and EO with preparation of special reports or projects.

**Policy Analyst (620-110-5393-003)** – Prepares and compiles rulemaking documents for the repeal, amendment or adoption of regulations. Identifies, tracks and analyzes legislative bills impacting the Board, acts as Personnel Liaison for Board staff, acts as training coordinator for Board staff, assists management with research and special projects, works with Licensing manager in monitoring and analyzing the Board's budget and preparation of reports for DCA's budget office. Acts as coordinator for the Government Affairs committee. Attends Board and committee meetings.

**Retired Annuitant Policy Analyst (620-110-5393-907)** – Prepares and compiles rulemaking documents for the repeal, amendment or adoption of regulations.

**Administrative Assistant (620-110-5278-001)** – Performs administrative tasks for the EO (responds to information requests, emails and telephone inquiries), compiles program statistical reports for EO's report at Board meetings, performs special projects assigned by EO, prioritizes EO's workload and maintains EO's calendar, coordinates EO's travel arrangements and processes travel claims. Prepares Board meeting packets, Board meeting minutes, and operates webcasting equipment at Board and Committee meetings, identifies action items and prepares a prioritized list to the EO and

## **Board of Chiropractic Examiners Staff Functions**

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management, recommends agenda items for future board meetings. Coordinates travel arrangements and travel claims for Board members, establishes contracts for meeting accommodations, provides back-up support to Licensing technicians, responds to subpoenas and public records requests, performs fleet management responsibilities, assist with preparation of contracts and interagency agreements for equipment maintenance work.

**Licensing Analyst (620-110-5157-008)** – Processes restoration of cancelled licenses and corporation applications, Makes determinations and recommendations regarding licensure and denial of applicants. Refers cases to the AG's office for a Statement of Issues for applicants whose licensure was denied and decisions were appealed, prepares mail vote ballots to Board members, distributes decision to all parties once adopted by the Board. Serves as Board liaison for Form 700 filings with the Fair and Political Practices Commission, acts as the webmaster for the Board's website, maintains Board's social media sites, and serves as coordinator for the Licensing & Continuing Education Committee meetings.

**Licensing Analyst (620-110-5157-007)** – Processes reciprocal and initial applications for a Chiropractic License including all supplemental documents relating to background, education and discipline, prepares deficiency and eligibility letters to applicants. Responds to telephone and written inquiries regarding application status, licensing requirements or processes. Makes determinations and recommendations regarding licensure or denial of applicants. Prepares statistical reports to management, refers cases to the AG's office for a Statement of Issues for applicants whose licensure was denied and decisions were appealed, researches and responds to questions by the assigned Deputy Attorney General, prepares and mails vote ballots to Board members, distributes decision to all parties once adopted by the Board. Processes applications for Chiropractic Referral Services, prepares information on newly licensed applicants for ratification at Board meetings.

**Licensing Technician (620-110-1139-008)** – Processes Satellite Office certificates, renewals, and license verifications. Answers telephones, maintains inventory of equipment and office supplies, compiles board meeting packets, and obtains approval for payment of bills.

**Licensing Technician (620-110-1139-009)** – Cashiers all monies received by the Board, requests refunds for overpayments, sends underpayment notices to licensees, performs Continuing Education audits, audits renewal statements for practicing with an expired license, processes address changes, front counter support, answers telephones, greets visitors, receives and distributes mail.

**CE/Licensing Analyst (620-110-5157-005)** – Reviews and processes continuing education provider applications and continuing education course applications and submittal to manager for approval, maintains database of CE providers and courses, prepares information on CE providers for ratification at Board meetings, prepares approval letters for CE providers and CE courses, processes inactive to active license requests, updates CAS with information from death certificates, name and address changes, processes applications for restoration of forfeiture licenses, approves licensees for the preceptor program, prepares monthly statistical reports for the licensing manager.





**0152 - Board of Chiropractic Examiners**  
**Analysis of Fund Condition**

Prepared 7.20.18

(Dollars in Thousands)

**GOVERNOR'S BUDGET 2018-19**

	PY 2017-18	CY 2018-19	BY 2019-20	BY + 1 2020-21	BY + 2 2021-22	BY + 3 2022-23
<b>BEGINNING BALANCE</b>	\$ 2,022	\$ 1,285	\$ 470	\$ -747	\$ -2,050	\$ -3,431
Prior Year Adjustment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 2,022	\$ 1,285	\$ 470	\$ -747	\$ -2,050	\$ -3,431
<b>REVENUES AND TRANSFERS</b>						
Revenues:						
4121200 Delinquent fees	\$ 33	\$ 38	\$ 38	\$ 38	\$ 38	\$ 38
4127400 Renewal fees	\$ 3,506	\$ 3,479	\$ 3,166	\$ 3,166	\$ 3,166	\$ 3,166
4129200 Other regulatory fees	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12	\$ 12
4129400 Other regulatory licenses and permits	\$ 165	\$ 162	\$ 162	\$ 162	\$ 162	\$ 162
4143500 Income from surplus money investments	\$ 9	\$ 9	\$ -	\$ -	\$ 10	\$ 10
4172500 Miscellaneous revenues	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1
Totals, Revenues	\$ 3,726	\$ 3,701	\$ 3,379	\$ 3,379	\$ 3,389	\$ 3,389
<b>EXPENDITURES</b>						
Disbursements:						
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 4,217	\$ 4,209	\$ 4,293	\$ 4,379	\$ 4,467	\$ 4,556
8880 Financial Information System for California (State Operations)	\$ 6	\$ -	\$ -	\$ -	\$ -	\$ -
9892 Supplemental Pension Payment (State Operations)	\$ -	\$ 41	\$ 41	\$ 41	\$ 41	\$ 41
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 240	\$ 262	\$ 262	\$ 262	\$ 262	\$ 262
Total Disbursements	\$ 4,463	\$ 4,516	\$ 4,596	\$ 4,682	\$ 4,770	\$ 4,859
<b>FUND BALANCE</b>						
Reserve for economic uncertainties	\$ 1,285	\$ 470	\$ -747	\$ -2,050	\$ -3,431	\$ -4,901
<b>Months in Reserve</b>	3.4	1.2	-1.9	-5.2	\$ -8.5	-11.9

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
- B. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
- C. ASSUMES INTEREST RATE AT 0.3%.

**BOARD OF CHIROPRACTIC EXAMINERS  
LICENSING TRENDS  
FY 2017-18**

**Total Population of Clear Chiropractic Licenses**

Month	Total Licenses
July	13,183
August	13,173
September	13,156
October	13,162
November	13,137
December	13,106
January	13,087
February	13,121
March	13,115
April	13,099
May	13,107
June	13,075

**New Chiropractic License Issued**

Month	Received	Issued
July	29	27
August	26	27
September	12	25
October	16	25
November	16	12
December	26	9
January	58	12
February	26	48
March	34	40
April	35	14
May	18	40
June	10	39

**Number of Restored Cancelled Licenses**

Month	Received	Issued
July	1	2
August	3	3
September	3	2
October	3	2
November	5	1
December	2	1
January	2	1
February	2	1
March	1	0
April	1	2
May	4	6
June	1	1

**New Satellite Office Certificates Issued**

Month	Received	Issued
July	94	102
August	117	78
September	115	160
October	30	95
November	117	73
December	103	115
January	97	122
February	137	84
March	144	143
April	133	159
May	144	71
June	138	166

**Corporation Registrations Issued**

Month	Received	Issued
July	5	4
August	12	13
September	6	7
October	3	6
November	7	3
December	3	1
January	5	7
February	6	9
March	6	9
April	4	6
May	14	8
June	10	17



**Licensing Population as of June 30, 2018**

<b>License Type</b>	<b>Clear Licenses</b>
Chiropractors	13,075
Satellite Offices	4,304
Corporation Registrations	1,338

**Applications Received and Processed – July 1, 2017 through June 30, 2018**

<b>Application Type</b>	<b>Received</b>	<b>Issued</b>	<b>Denied</b>	<b>Pending</b>
Initial Chiropractic	306	318	0	82
Reciprocal	10	5	0	5
Restorations (Cancelled & Forfeiture)	115	114	2	9
Corporation	63	73	0	4

## COMPLIANCE UNIT STATS

Fiscal Year	13/14	14/15	15/16	16/17	*17/18
<b><u>COMPLAINTS</u></b>					
Received	487	557	581	490	479
Pending	214	270	232	183	235
Closed with Insufficient Evidence	88	57	127	79	72
Closed with No Violation	140	100	97	75	75
Closed with Merit	148	220	235	184	214
Letter of Admonishment	5	3	4	4	17
Citations and Fines Issued (Total Fine Amount)	26(\$18,500)	16(\$12,400)	17(\$11,600)	26(\$36,900)	25(\$24,650)
<b><u>ACCUSATIONS</u></b>					
Filed	38	22	31	35	34
Pending	56	64	66	65	55
Revoked	12	9	3	10	9
Revocation Stayed: Probation	15	7	13	11	15
Revocation Stayed: Suspension and Probation	4	2	4	5	1
Suspension	0	0	0	0	0
Suspension Stayed: Probation	0	0	0	0	0
Suspension and Probation	0	0	0	0	0
Voluntary Surrender of License	8	8	9	14	9
Dismissed/Withdrawn	3	3	2	6	0
<b><u>STATEMENT OF ISSUES</u></b>					
Filed	5	2	0	1	2
Denied	2	1	0	0	0
Probationary License	1	2	1	0	0
Withdrawn	2	1	0	0	0
Granted	0	1	0	0	0
<b><u>PETITION FOR RECONSIDERATION</u></b>					
Filed	3	0	1	0	0
Granted	0	0	0	0	0
Denied	2	0	1	0	0
<b><u>PETITION FOR REINSTATEMENT OF LICENSE</u></b>					
Filed	5	8	7	6	6
Granted	1	1	0	0	0
Denied	3	4	7	3	3
<b><u>PETITION FOR EARLY TERMINATION OF PROBATION</u></b>					
Filed	11	4	8	3	2
Granted	0	0	1	0	0
Denied	3	5	2	2	5
<b><u>PETITION FOR MODIFICATION OF PROBATION</u></b>					
Filed	3	2	3	0	1
Granted	0	1	1	0	1
Denied	1	1	0	0	0
<b><u>PETITION BY BOARD TO REVOKE PROBATION</u></b>					
File	11	5	8	5	6
Revoked	5	2	3	10	9
<b><u>PROBATION CASES</u></b>					
Active	135	123	104	92	90

## **Violation Codes/Descriptions**

### **The Chiropractic Initiative Act of California (ACT):**

- 10 – Rules of Professional Conduct
- 15 – Noncompliance With and Violations of Act

### **California Code of Regulations (CCR):**

- 302(a) – Scope of Practice
- 302.5 – Use of Laser
- 303 – Filing of Addresses
- 304 – Discipline by Another State
- 308 – Display of License
- 311 – Advertisements
- 312 – Illegal Practice
- 315 – Mental Illness
- 316 (a) – Responsibility for Conduct on Premises
- 316 (b) – Sexual Misconduct on Premises
- 316 (c) -- Sexual Misconduct/Relations
- 317 – Unprofessional Conduct
- 318 – Chiropractic Patient Records/Accountable Billing
- 319 – Free or Discount Services
- 319.1 – Informed Consent
- 321.1(c)- Fingerprint Submission
- 361(b) – 24 Hour CE Requirement
- 366 – Continuing Education Audits
- 367.5 – Application, Review of Refusal to Approve (corporations)
- 367.7 – Name of Corporation
- 371(c) – Renewal and Restoration

### **Business and Professions Code (BP):**

- 125 – Aiding/Abet Unlicensed Activity
- 801 (a) – Professional Reporting Requirements (Ins-malpractice settlements)
- 802 (a) – Professional Reporting Requirements (Lic-malpractice settlements)
- 810 – Insurance Fraud
- 1051 – Apply for a Corporation with the Board
- 1054 – Name of Chiropractic Corporation
- 17500 – Unlawful Advertising

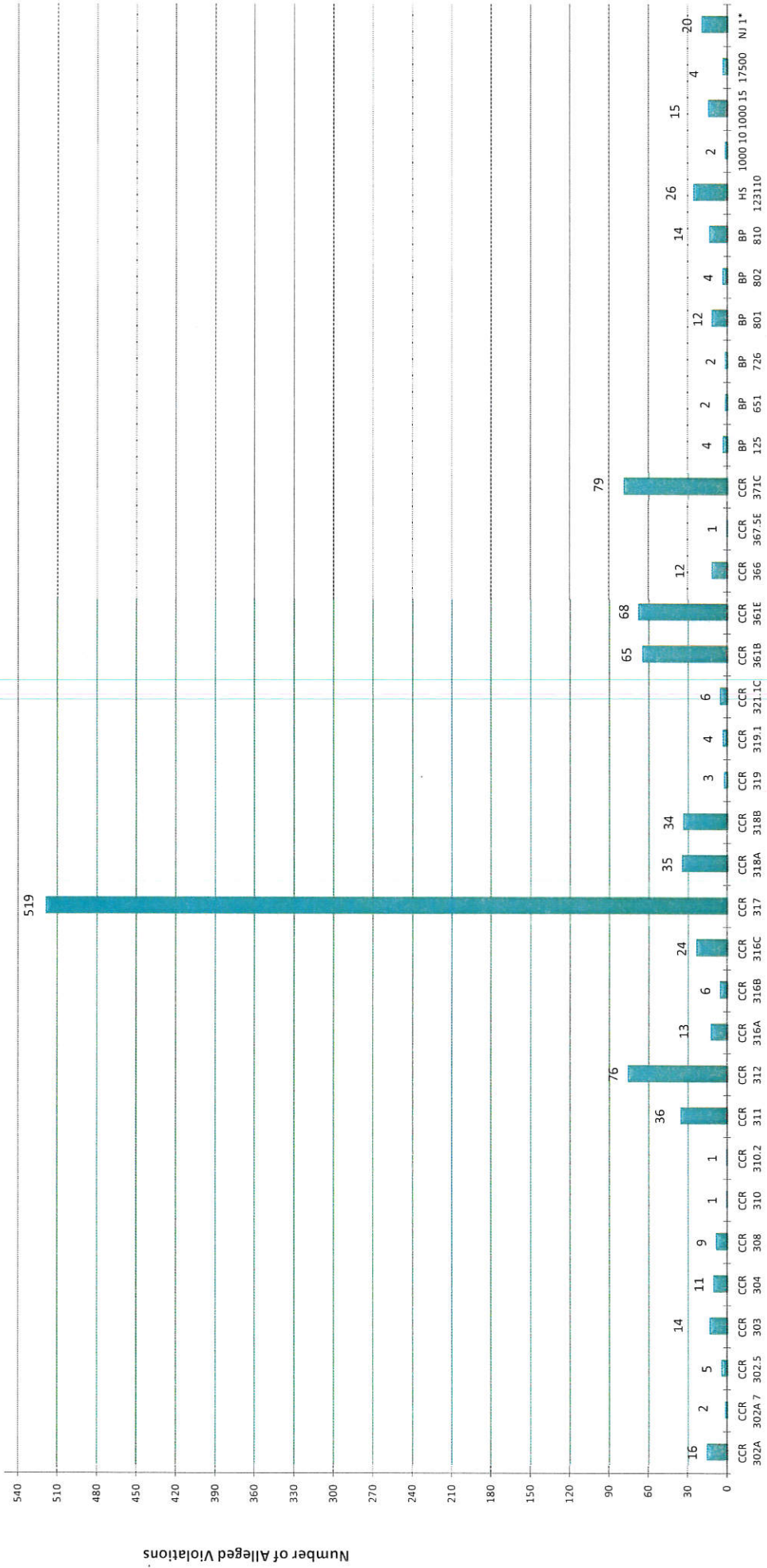
### **Health and Safety Code (HS):**

- 123110 – Patient Access to Health Records

Fiscal Year 2017/2018  
 July 1, 2017 - June 30, 2018

**Total Number of Complaints Opened - 479**  
**Total Number of Alleged Violations - 1145**

*(A complaint may contain multiple violation)*



Violations

## **Unprofessional Conduct/Violation Codes/Descriptions**

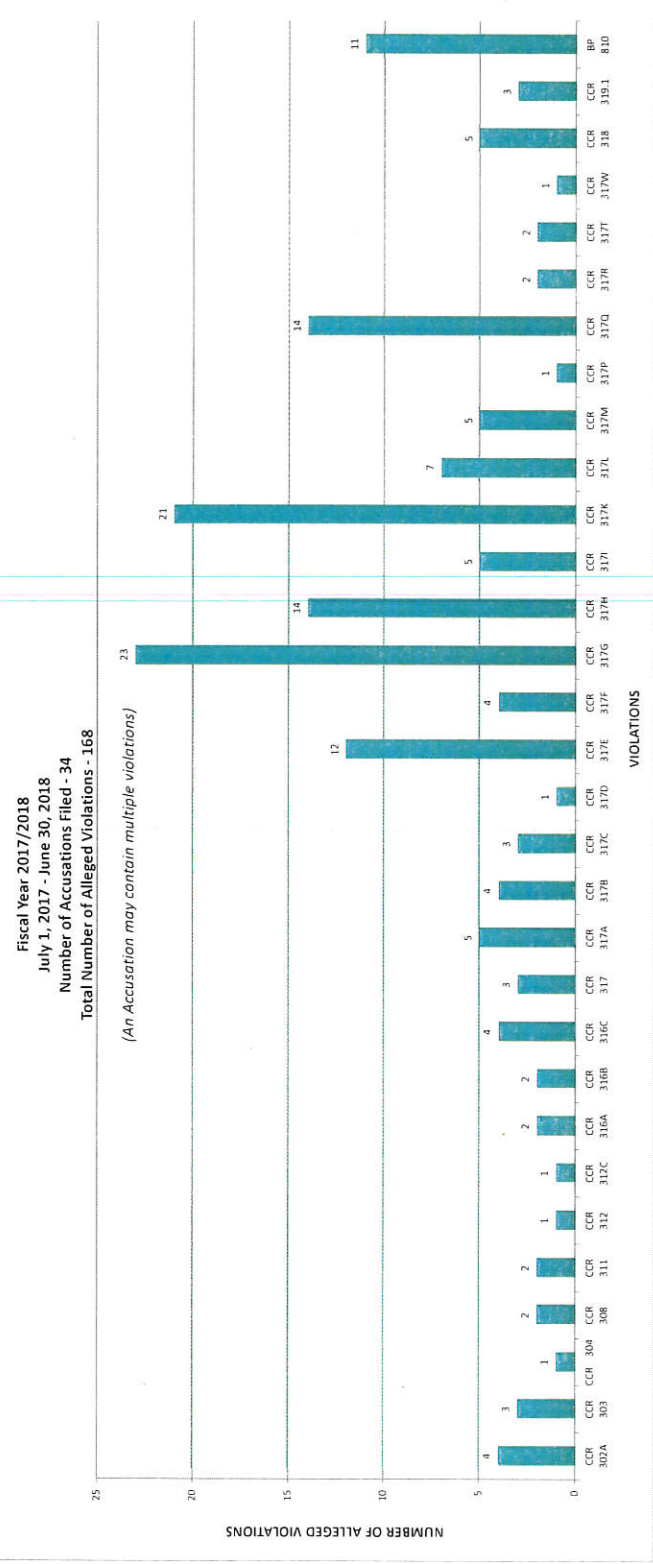
### **California Code of Regulations (CCR) Section 317 – Unprofessional Conduct:**

- (a) Gross Negligence
- (b) Repeated Negligent Acts
- (c) Incompetence
- (d) Excessive Treatment
- (e) Conduct Endangering Public
- (f) Administering to Oneself Drugs/Alcohol
- (g) Conviction of a Crime Related to Chiropractic Duties
- (h) Conviction of a Crime Involving Moral Turpitude/Physical Violence/etc.
- (i) Conviction of a Crime Involving Drugs or Alcohol
- (j) Dispensing Narcotics/Dangerous Drugs/etc.
- (k) Moral Turpitude/Corruption/etc.
- (l) False Representation
- (m) Violation of the ACT/Regulations
- (n) False Statement Given in Connection with an Application for Licensure
- (o) Impersonating an Applicant
- (p) Illegal Advertising related to Violations of Section 17500 BP
- (q) Fraud/Misrepresentation
- (r) Unauthorized Disclosure of Patient Records
- (s) Employment/Use of Cappers or Steerers
- (t) Offer/Receive Compensation for Referral
- (u) Participate in an Illegal Referral Service
- (v) Waiving Deductible or Co-Pay
- (w) Fail to Refer Patient to Physician/Surgeon/etc.
- (x) Offer or Substitution of Spinal Manipulation for Vaccination



Fiscal Year 2017/2018

CCR 302A CCR 303 CCR 304 CCR 308 CCR 311 CCR 312 CCR 316A CCR 317 CCR 317A CCR 317B CCR 317C CCR 317D CCR 317E CCR 317F CCR 317G CCR 317H CCR 317I CCR 317J CCR 317K CCR 317L CCR 317M CCR 317N CCR 317O CCR 317P CCR 317Q CCR 317R CCR 317S CCR 317T CCR 317U CCR 317V CCR 317W CCR 317X CCR 317Y CCR 317Z CCR 318 CCR 319 CCR 320 CCR 321 CCR 322 CCR 323 CCR 324 CCR 325 CCR 326 CCR 327 CCR 328 CCR 329 CCR 330 CCR 331 CCR 332 CCR 333 CCR 334 CCR 335 CCR 336 CCR 337 CCR 338 CCR 339 CCR 340 CCR 341 CCR 342 CCR 343 CCR 344 CCR 345 CCR 346 CCR 347 CCR 348 CCR 349 CCR 350 CCR 351 CCR 352 CCR 353 CCR 354 CCR 355 CCR 356 CCR 357 CCR 358 CCR 359 CCR 360 CCR 361 CCR 362 CCR 363 CCR 364 CCR 365 CCR 366 CCR 367 CCR 368 CCR 369 CCR 370 CCR 371 CCR 372 CCR 373 CCR 374 CCR 375 CCR 376 CCR 377 CCR 378 CCR 379 CCR 380 CCR 381 CCR 382 CCR 383 CCR 384 CCR 385 CCR 386 CCR 387 CCR 388 CCR 389 CCR 390 CCR 391 CCR 392 CCR 393 CCR 394 CCR 395 CCR 396 CCR 397 CCR 398 CCR 399 CCR 400 CCR 401 CCR 402 CCR 403 CCR 404 CCR 405 CCR 406 CCR 407 CCR 408 CCR 409 CCR 410 CCR 411 CCR 412 CCR 413 CCR 414 CCR 415 CCR 416 CCR 417 CCR 418 CCR 419 CCR 420 CCR 421 CCR 422 CCR 423 CCR 424 CCR 425 CCR 426 CCR 427 CCR 428 CCR 429 CCR 430 CCR 431 CCR 432 CCR 433 CCR 434 CCR 435 CCR 436 CCR 437 CCR 438 CCR 439 CCR 440 CCR 441 CCR 442 CCR 443 CCR 444 CCR 445 CCR 446 CCR 447 CCR 448 CCR 449 CCR 450 CCR 451 CCR 452 CCR 453 CCR 454 CCR 455 CCR 456 CCR 457 CCR 458 CCR 459 CCR 460 CCR 461 CCR 462 CCR 463 CCR 464 CCR 465 CCR 466 CCR 467 CCR 468 CCR 469 CCR 470 CCR 471 CCR 472 CCR 473 CCR 474 CCR 475 CCR 476 CCR 477 CCR 478 CCR 479 CCR 480 CCR 481 CCR 482 CCR 483 CCR 484 CCR 485 CCR 486 CCR 487 CCR 488 CCR 489 CCR 490 CCR 491 CCR 492 CCR 493 CCR 494 CCR 495 CCR 496 CCR 497 CCR 498 CCR 499 CCR 500



**June 2018**

**ACCUSATIONS FILED**

Name and City	License No.	Date Filed	Alleged Violations
Martin, James Joseph Redding, CA	DC 27263	6/19/2018	Conviction of a crime which is substantially related to the duties of a chiropractor; conviction of a crime involving moral turpitude, dishonesty, physical violence or corruption; unprofessional conduct/commission of acts involving moral turpitude, dishonesty or corruption; participation in the act of fraud/misrepresentation.
Chacon, Manuel D. Los Angeles, CA	DC 10580	6/25/2018	Conviction of a crime which is substantially related to the duties of a chiropractor; conviction of a crime involving moral turpitude, dishonesty, physical violence or corruption; unprofessional conduct/commission of acts involving moral turpitude, dishonesty or corruption; Acts of sexual misconduct with a patient; sexual acts involving patients on premises; unprofessional conduct/ endangering the health, welfare or safety of the public; violations of any provision or term of the ACT or the Regulations by the Board.
Mullen, Susan Virginia Berkeley, CA	DC 25356	6/26/2018	Unprofessional conduct/gross negligence; unprofessional conduct/ repeated negligent act; unprofessional conduct/ incompetence; unprofessional conduct/ endangering the health, welfare or safety of the public; violations of any provision or term of the ACT or the Regulations by the Board; failure to maintain patient records/required content; failure to refer patient to a physician, surgeon or other licensed health care provider.

**STATEMENT OF ISSUES**

Name and City	License No.	Date Filed	Action	Effective Date	Violations
No Data to Report					

**DISCIPLINARY ACTIONS**

Name and City	License No.	Action	Effective Date	Violations
Armstrong, Christopher T. Whittier, CA	DC 22101	Revoked	6/2/2018	Unprofessional conduct; unprofessional conduct/ repeated negligent acts; unprofessional conduct/ excessive treatment; unprofessional conduct/commission of acts involving moral turpitude, dishonesty or corruption; knowingly making or signing a document related to the



				practice of chiropractic, which falsely represents the facts; participation in the act of fraud/misrepresentation; unauthorized disclosure of patient information; violations of any provision of the ACT/Regulations; failure to ensure accurate billings of chiropractic services; failure to maintain patient records/required content; failure to obtain informed consent from patient; failure to provide adequate supervision of an unlicensed individual providing physical therapy; chiropractor responsible for the conduct of persons subject to his supervision on premises; exceeding scope of practice; insurance fraud, false/fraudulent insurance claims.
<b>Benkert, Cynthia Lakewood, CA</b>	DC 23209	Stipulated Surrender	6/21/2018	Practicing outside the scope of chiropractic; failure to file practice address; failure to display or obtain Satellite Office Certificate; false and misleading advertisements; unlicensed individual / illegal practice; chiropractor responsible for the conduct of persons subject to his supervision on premises; unprofessional conduct/gross negligence; unprofessional conduct/ repeated negligent acts; unprofessional conduct/ incompetence; unprofessional conduct/ endangering the health, welfare and safety of the public; unprofessional conduct/commission of acts involving moral turpitude, dishonesty, physical violence or corruption; participation in fraud/misrepresentation; failure to obtain patient's written informed consent.
<b>Kypros, Paul Michael Emeryville, CA</b>	DC 26084	Revoked	6/13/2018	Unprofessional conduct/ endangering the health, welfare or safety of the public; conviction of a crime which is substantially related to the duties of a chiropractor.
<b>Michals, John Charles San Marcos, CA</b>	DC 29213	Revoked	6/29/2018	Conviction of a crime which is substantially related to the duties of a chiropractor; conviction of a crime involving moral turpitude, dishonesty, physical violence or corruption; unprofessional conduct/commission of acts involving moral turpitude, dishonesty or corruption; commission of acts of sexual abuse and misconduct with patients.

**REINSTATEMENT OF LICENSE**

Name and City	License No.	Date Filed	Action	Effective Date	Violations
No Data to Report					

**FINAL CITATIONS ISSUED**

Name and City	License Number	Fine Amount	Date Issued	Violations
Higuera, Ron Orange, CA	DC 17190	\$1500.00	6/6/2018	Unlicensed Individual/practicing without a valid license; failure to file current practice address with Board.

**PETITION FOR REINSTATEMENT**

Name and City	License No.	Revocation Date	Action
No Data to Report			

**PETITION FOR EARLY TERMINATION OF PROBATION**

Name and City	License Number	Probation End Date	Action
No Data to Report			

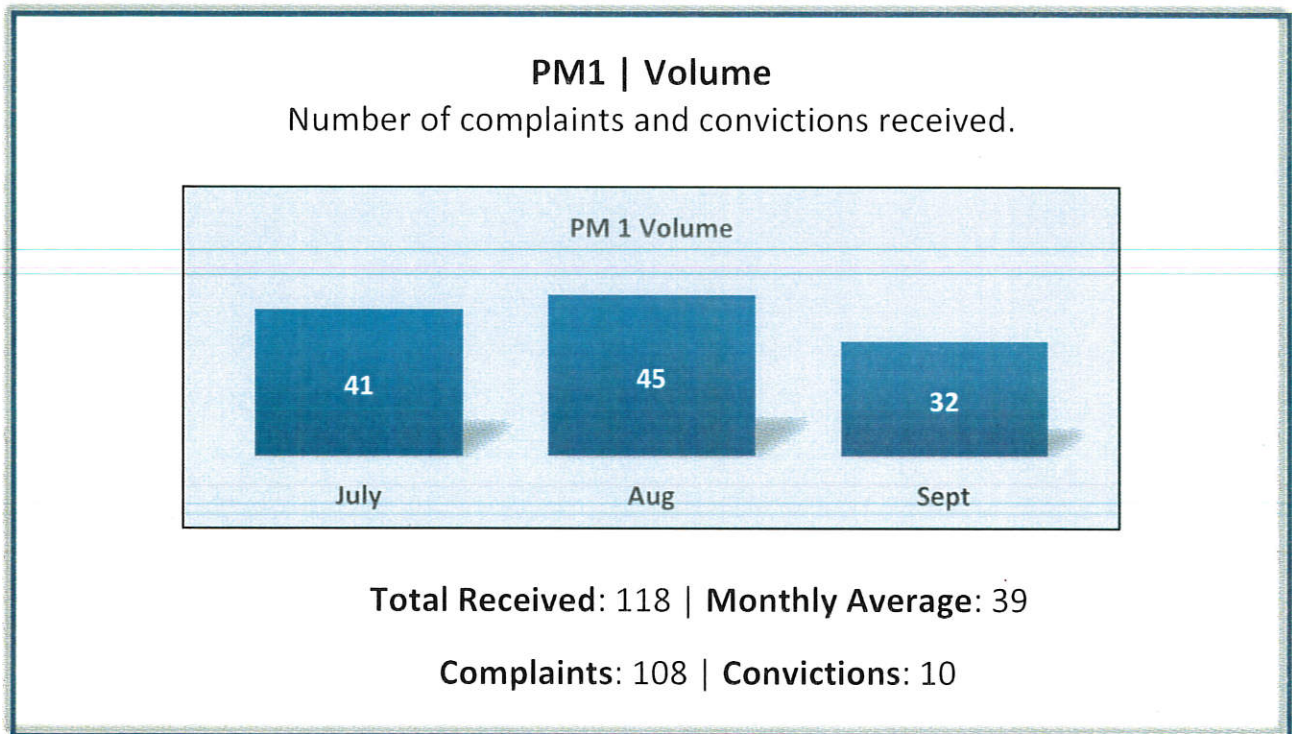
**PETITION FOR MODIFICATION OF PROBATION**

Name and City	License Number	Probation End Date	Action
No Data to Report			

## Enforcement Performance Measures

### Q1 Report (July - September 2017)

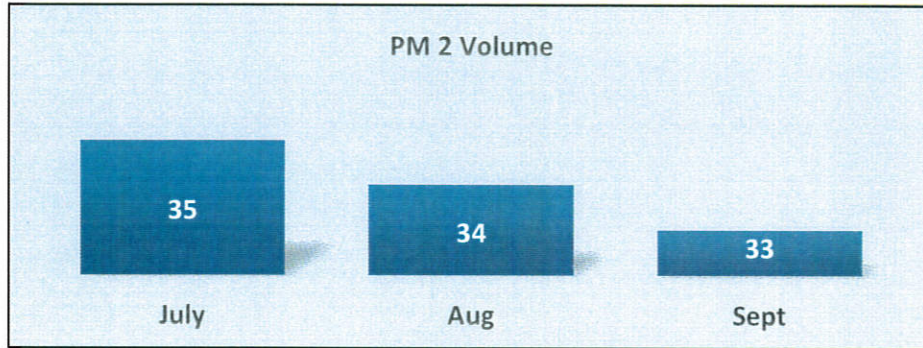
To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.





### PM2 | Intake – Volume

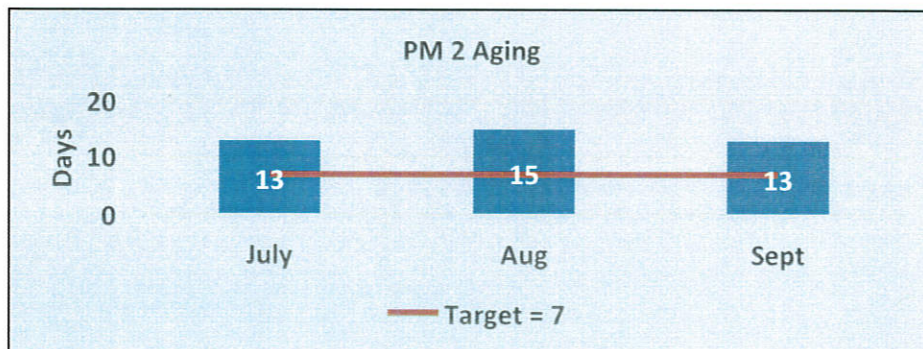
Number of complaints closed or assigned to an investigator.



**Total: 102 | Monthly Average: 34**

### PM2 | Intake – Cycle Time

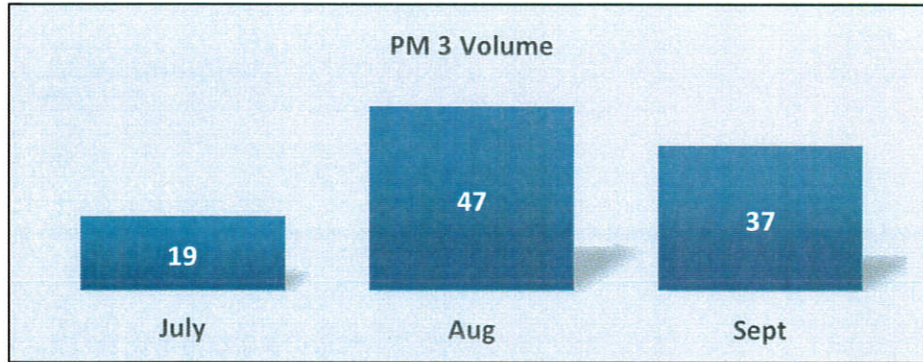
Average number of days from complaint receipt, to the date the complaint was closed or assigned to an investigator.



**Target Average: 7 Days | Actual Average: 14 Days**

### PM3 | Investigations – Volume

Number of investigations closed (not including cases transmitted to the Attorney General).

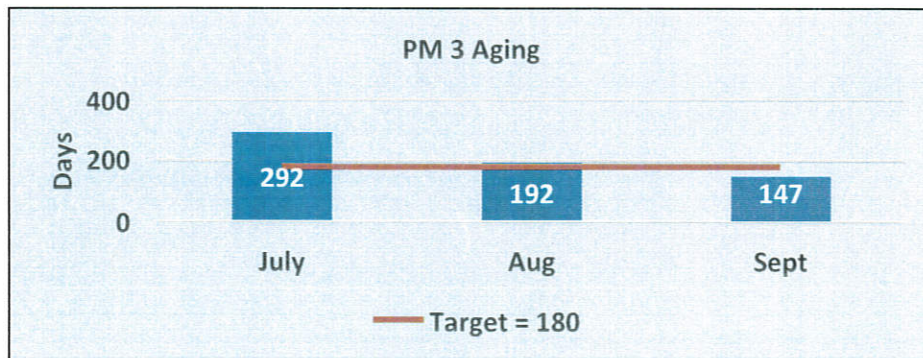


**Total: 103 | Monthly Average: 34**

### PM3 | Investigations – Cycle Time

Average number of days to complete the entire enforcement process for cases not transmitted to the Attorney General.

(Includes intake and investigation)

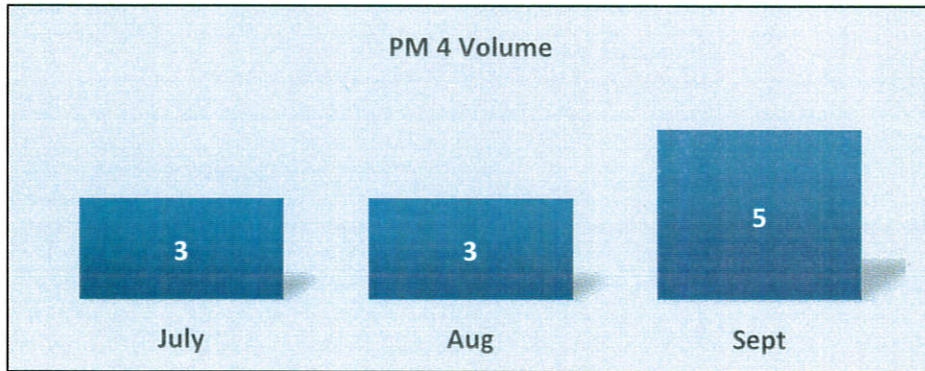


**Target Average: 180 Days | Actual Average: 194 Days**



### PM4 | Formal Discipline -- Volume

Cases closed, of those transmitted to the Attorney General.

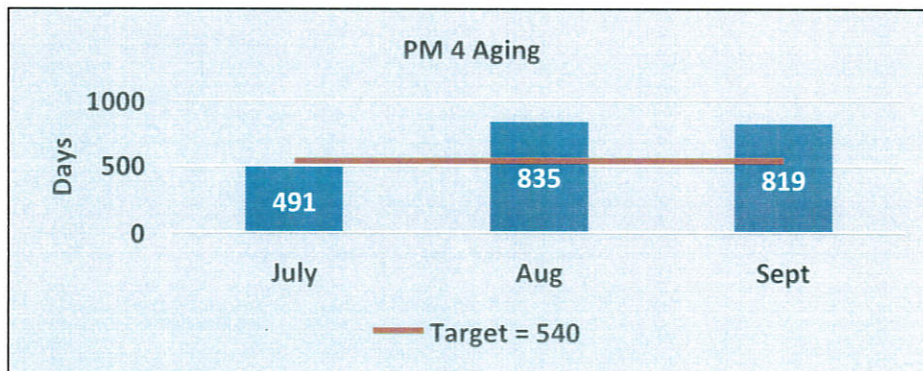


**Total: 11 | Monthly Average: 3.7**

### PM4 | Formal Discipline – Cycle Time

Average number of days to complete the entire enforcement process for cases transmitted to the Attorney General.

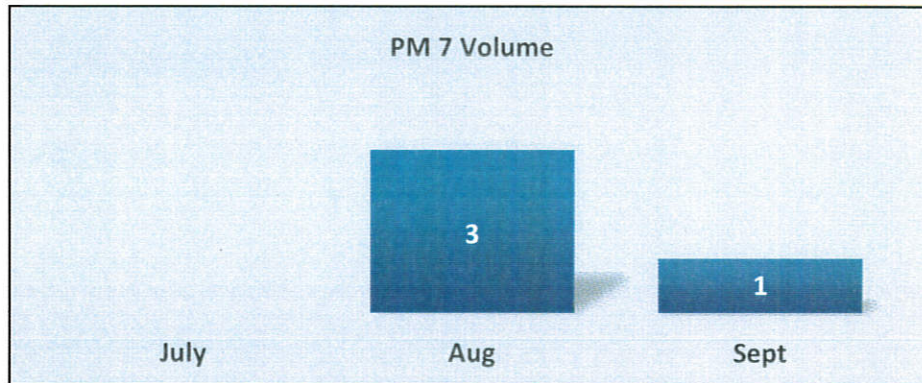
(Includes intake, investigation, and transmittal outcome)



**Target Average: 540 Days | Actual Average: 734 Days**

### PM7 | Probation Intake – Volume

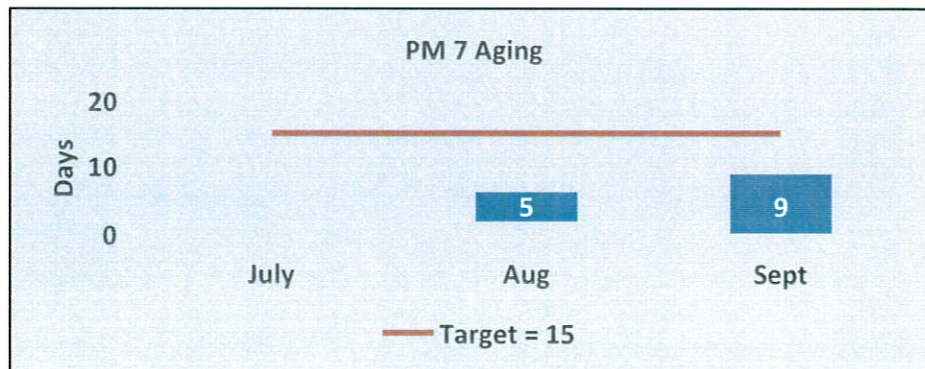
Number of new probation cases.



**Total: 4**

### PM7 | Probation Intake – Cycle Time

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

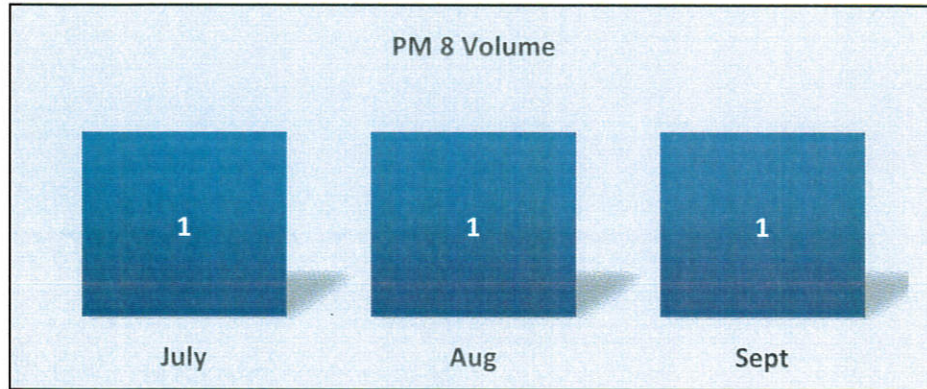


**Target Average: 15 Days | Actual Average: 6 Days**



### PM8 | Probation Violation Response – Volume

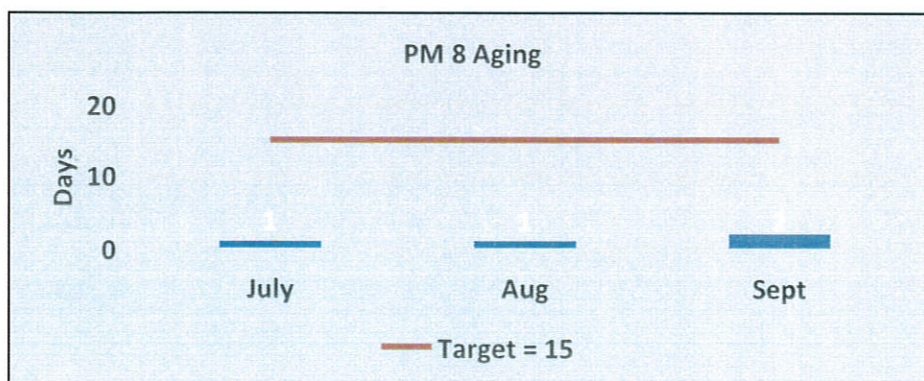
Number of probation violation cases.



**Total: 3**

### PM8 | Probation Violation Response – Cycle Time

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

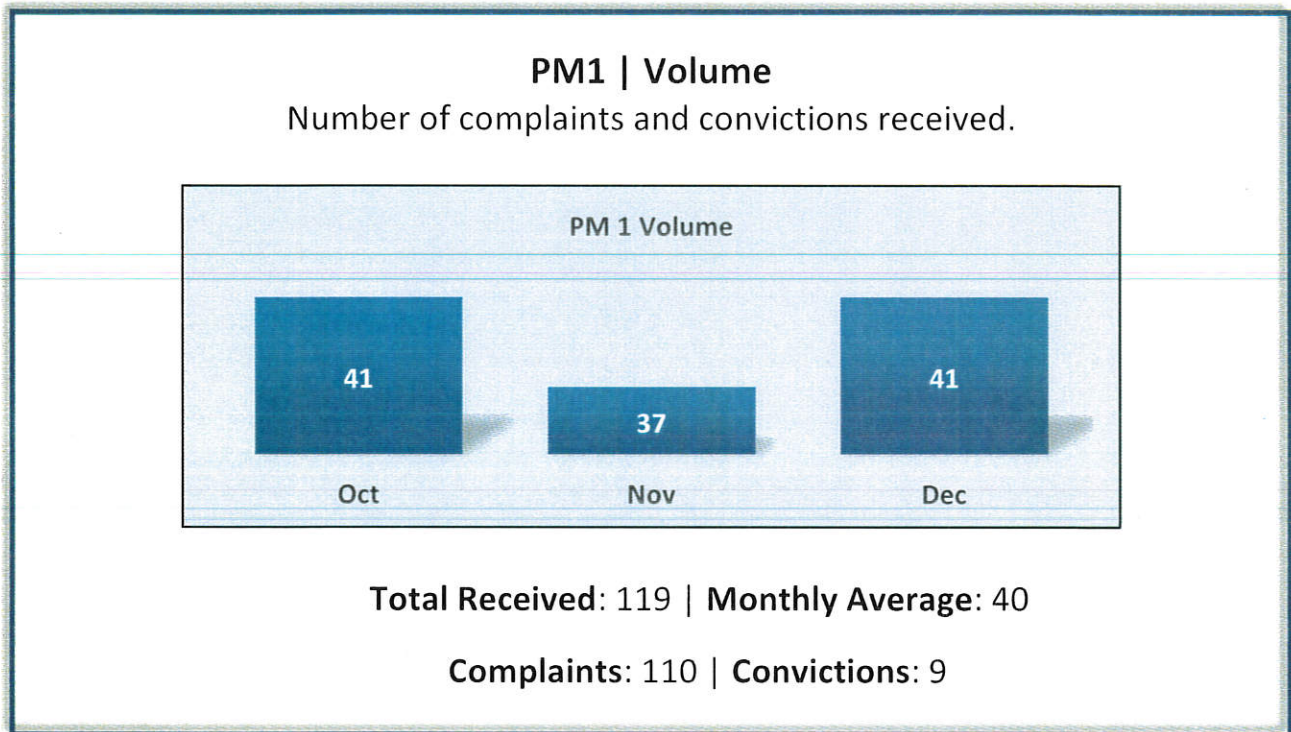


**Target Average: 15 Days | Actual Average: 3 Days**

## Enforcement Performance Measures

### Q2 Report (October - December 2017)

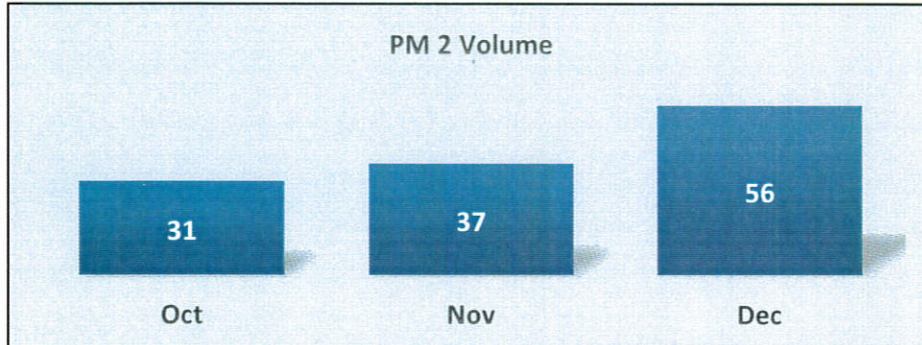
To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.





### PM2 | Intake – Volume

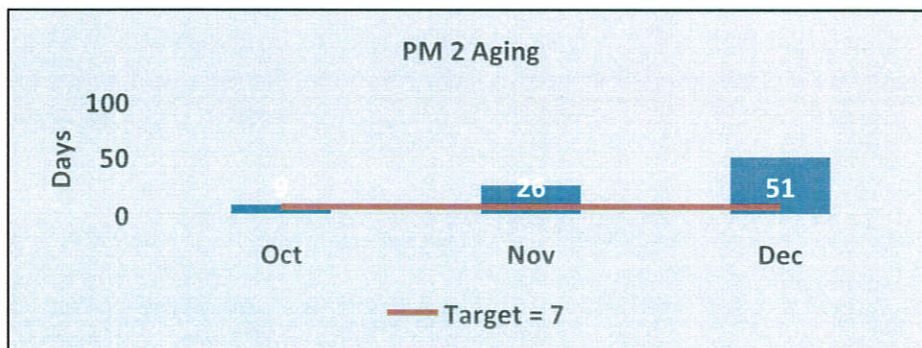
Number of complaints closed or assigned to an investigator.



**Total: 124 | Monthly Average: 41**

### PM2 | Intake – Cycle Time

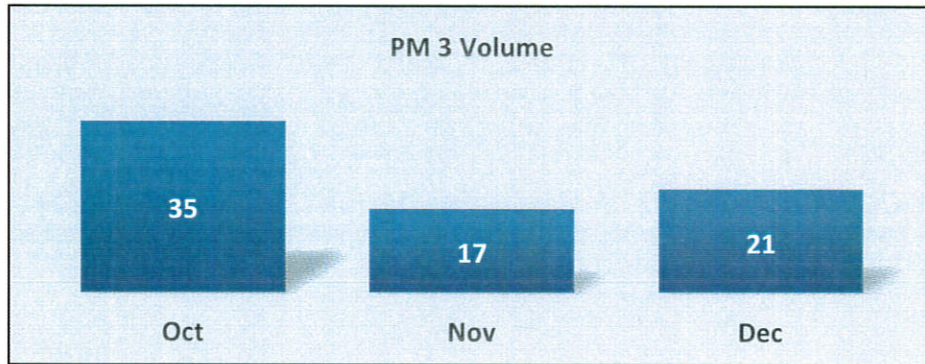
Average number of days from complaint receipt, to the date the complaint was closed or assigned to an investigator.



**Target Average: 7 Days | Actual Average: 9 Days**

### PM3 | Investigations – Volume

Number of investigations closed (not including cases transmitted to the Attorney General).

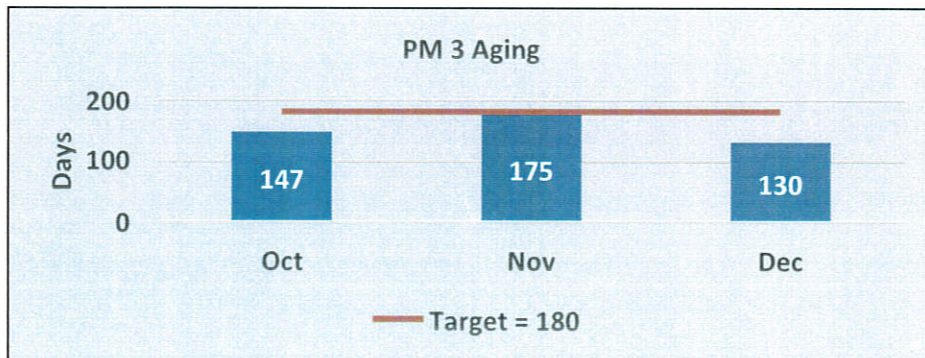


**Total: 73 | Monthly Average: 24**

### PM3 | Investigations – Cycle Time

Average number of days to complete the entire enforcement process for cases not transmitted to the Attorney General.

(Includes intake and investigation)

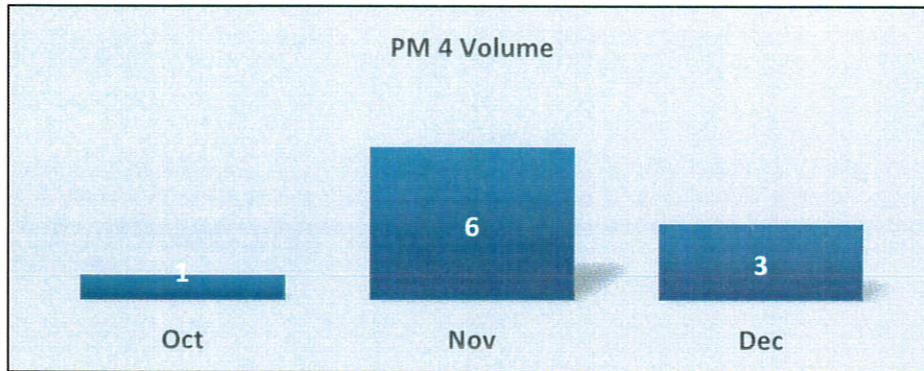


**Target Average: 180 Days | Actual Average: 149 Days**



### PM4 | Formal Discipline -- Volume

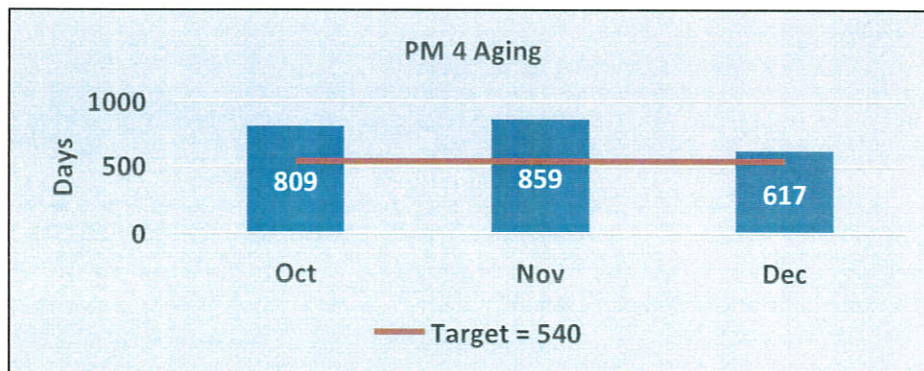
Cases closed, of those transmitted to the Attorney General.



Total: 10 | Monthly Average: 3

### PM4 | Formal Discipline – Cycle Time

Average number of days to complete the entire enforcement process for cases transmitted to the Attorney General.  
(Includes intake, investigation, and transmittal outcome)

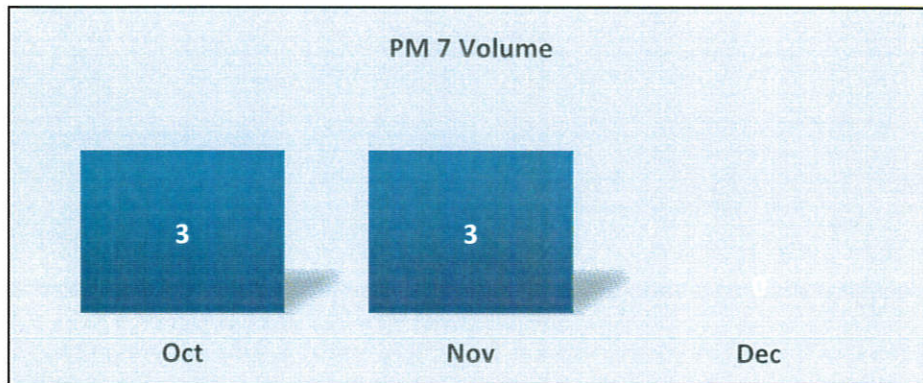


Target Average: 540 Days | Actual Average: 866 Days



### PM7 | Probation Intake – Volume

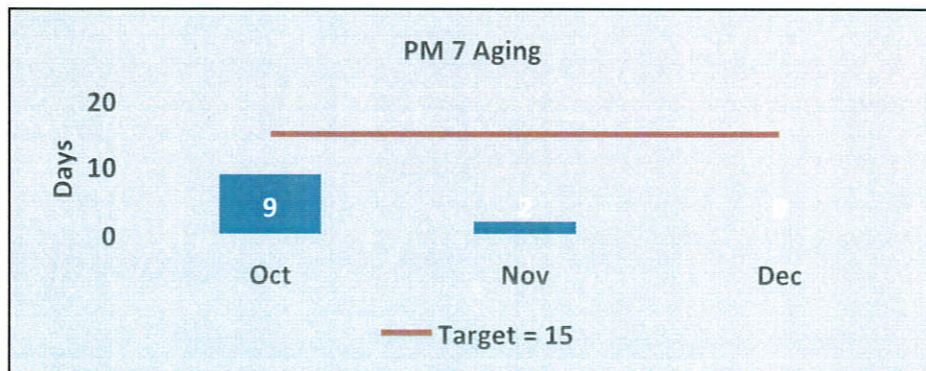
Number of new probation cases.



**Total: 6**

### PM7 | Probation Intake – Cycle Time

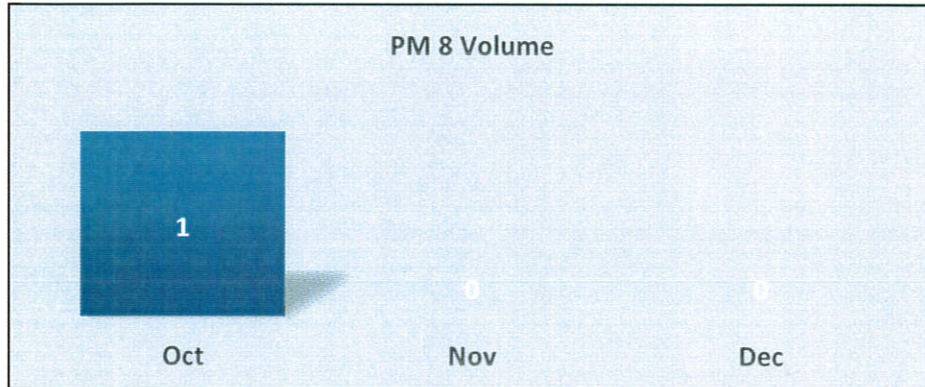
Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



**Target Average: 15 Days | Actual Average: 5 Days**

### PM8 | Probation Violation Response – Volume

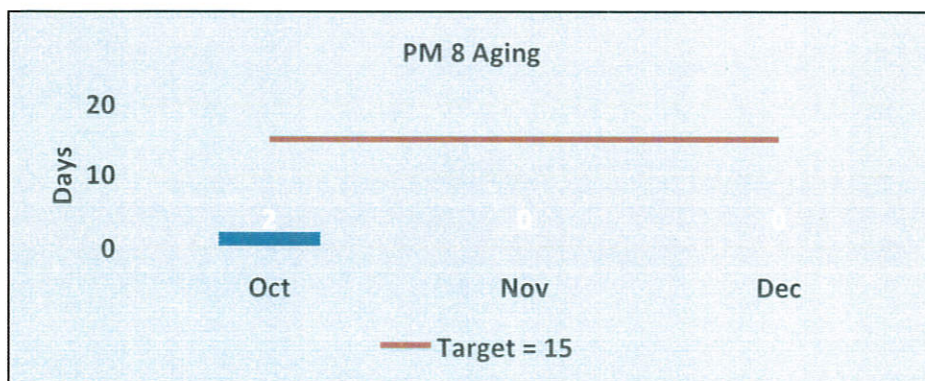
Number of probation violation cases.



**Total: 1**

### PM8 | Probation Violation Response – Cycle Time

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.



**Target Average: 15 Days | Actual Average: 2 Days**