

Board of Chiropractic Examiners

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**BOARD OF CHIROPRACTIC EXAMINERS
MEETING MINUTES
Enforcement Committee
March 27, 2008
400 R Street, Room 101
Sacramento, CA 95814**

Committee Members Present

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

Staff Present

Brian Stiger, Executive Officer
LaVonne Powell, Senior Legal Counsel
Thomas Rinaldi, Deputy Attorney General
Marlene Valencia, Staff Services Analyst

Call to Order

Dr. Lubkin called the meeting to order at 9:50 a.m.

Roll Call

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

Approval of Minutes

MOTION: DR. COLUMBU MOVED TO APPROVE THE MINUTES AS CORRECTED.

MOTION SECONDED: DR. LUBKIN SECONDED THE MOTION

VOTE: 2-0

MOTION CARRIED

Expert Witness Manual

Dr. Lubkin and Mr. Stiger thanked Roger Calton, Dr. Charles Davis, Bill Howe, Thomas Rinaldi, and LaVonne Powell for their efforts in developing this final draft.

Expert Witness Qualifications

Mr. Stiger clarified that the expert witness qualifications and application are separate from the expert witness manual. Dr. Lubkin acknowledged that he has reviewed all three elements and is supportive.

Special Investigator Proposal

Mr. Stiger presented a concept of establishing in-house investigators rather than continuing to contract with private investigators. He said the investigators would be out in the field 70% of the time to investigate complaints, subsequent arrest reports, mal-practice settlement notices, probation monitoring and initiate compliance inspections.

Ms. Powell spoke in support of the proposal and said the investigators will have the opportunity to work with law enforcement and allows the board to be more proactive.

Mr. Rinaldi spoke in support of the proposal and believes that licensing boards that have their own investigators are more efficient.

Dr. Lubkin asked Mr. Stiger if this proposal would allow investigations to be completed in 6-8 months. Mr. Stiger said he envisions a six month goal to complete most investigations. He also stated that the investigators would meet every six months with all probationers.

Dr. Lubkin asked about the qualifications of the investigators. Mr. Stiger explained that the State Personnel Board created the classification last November 2007 and he discussed the qualifications.

R.D. Schnell, D.C. suggested that the investigators be trained in chiropractic to be fair to chiropractors.

Bill Howe, California Chiropractic Association, fully supports the investigator proposal.

MOTION: DR. COLUMBU MOVED FOR THE COMMITTEE TO RECOMMEND ADOPTION OF THIS PROPOSAL TO THE FULL BOARD

MOTION SECONDED: DR. LUBKIN SECONDED THE MOTION

VOTE: 2-0

MOTION CARRIED

Scope of Radiography in the Chiropractic Practice

Dr. Lubkin requested that staff research the proposal from International Chiropractic Association of California (ICAC) and contact the Department of Radiology Health to discuss.

Charles Davis, D.C., ICAC, agreed that more research needs to be conducted before a decision is made.

Dr. Schnell asked about the status of this subject. Dr. Lubkin stated the committee will address the subject after receiving more information from staff.

ADJOURNMENT

Dr. Lubkin adjourned the meeting at 10:10 a.m.