

NOTICE OF PUBLIC MEETING

**September 20, 2012
10:00 a.m.
Radisson LAX
6225 West Century Blvd.
Los Angeles, CA 90045
(310) 670-9000**

AGENDA

1. **OPEN SESSION** – Call to Order & Establishment of a Quorum
Hugh Lubkin, D.C. Chair
Heather Dehn, D.C., Vice Chair
Francesco Columbu, D.C., Secretary
Julie Elginer, Dr.PH
Sergio Azzolino, D.C.
2. **Chair’s Report**
3. **Approval of Minutes**
July 19, 2012 Board Meeting
4. **Executive Officer’s Report**
 - A. Administration
 - B. Budget – Cynthia Dines, DCA’s Budget Office
 - C. Licensing
 - D. Enforcement
5. **Ratification of Approved License Applications**
6. **Ratification of Approved Continuing Education Providers**
7. **Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing**
8. **Recommendation to Waive Two Year Requirement to Restore a Cancelled License**
9. **The Use of the Zerona Laser for Laser Lipo Treatment**
10. **Board Member Administrative Procedure Manual**
11. **Board Members Testifying as Experts**
12. **Physio Therapy Guidelines – Misconduct**

13. **Enforcement Committee Meeting Update** – Board may take action on any item on the attached Enforcement Committee meeting agenda.
14. **Government Affairs Committee Meeting Update** – Board may take action on any item on the attached Government Affairs Committee meeting agenda.
15. **Legislative Update**
 - A. SB 924 (Price) – Patient Direct Access to Physical Therapist and Provider Corporations
16. **Hearings Re: Petition for Reinstatement of Revoked License**
 - A. Alex Giventer
17. **Public Comment**
18. **Future Agenda Items**
19. **Closed Session**
 - A. Deliberation on Disciplinary Decisions
Pursuant to California Government Code Section 11126(c)(3)
 - B. Pursuant to California Government Code Section 11126(e)
 - 1) Board of Chiropractic Examiners v. Carole M. Arbuckle
Sacramento County Superior Court, Case No. 03AS00948
 - 2) Hugh Lubkin, D.C. v. Board of Chiropractic Examiners
Workers' Compensation Case No. ADJ7361379
20. **OPEN SESSION: Announcements Regarding Closed Session**
21. **Adjournment**

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.

The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Marlene Valencia at (916) 263-5355 ext. 5363 or e-mail marlene.valencia@chiro.ca.gov or send a written request to the Board of Chiropractic Examiners, 2525 Natomas Park Drive, Suite 260, Sacramento, CA 95833. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

NOTICE OF PUBLIC MEETING
ENFORCEMENT COMMITTEE

AUGUST 30, 2012

10:00 a.m.

**2525 Natomas Park Drive, Suite 120
Sacramento, CA 95833**

AGENDA

- 22. CALL TO ORDER**
- 23. Approval of Minutes**
July 14, 2012
- 3. Minimum Requirements for Patient Examinations**
- 4. Proposed Omnibus Consumer Protection Regulations**
- 5. Disciplinary Guidelines**
- 6. Pain Management**
- 7. Standards for Extracorporeal Shock Wave (ECSW) Therapy – Proposed New California Code of Regulations Section 318.2**
 - Presentation by Ed Cremata, D.C.
- 8. Discipline by Another State – California Code of Regulations Section 304**
 - What Constitutes Discipline? (e.g., Voluntary Surrender Pending Disciplinary Action)
- 9. Investigators: Authority to Inspect Premises – California Code of Regulations 306.3**
 - Failure to Comply: Consequences
- 10. Advertisements – California Code of Regulations Section 311**
 - False & Misleading Advertising
 - Clear Identification of Licensee in Advertisement
 - Seminars that Promote Illegal Acts

11. **Law Violators – California Code of Regulations Section 314**
 - Clarification of Section
 - Abuse Reporting Requirements (e.g., Spousal, Elder, and Child Abuse)
12. **Name of Corporation – California Code of Regulations Section 367.7 & Corporations Code Section**
13. **Policy/Procedure Regarding “Hold for Discussion” on Proposed Decisions and Stipulated Settlements**
14. **Disciplinary Orders – Monitoring of Billing Practices by Certified Public Accountants (CPAs)**
15. **Disciplinary Orders – Timeframe for Taking and Passing Required Examinations (e.g., Ethics & Boundaries)**
16. **PUBLIC COMMENT**
17. **FUTURE AGENDA ITEMS**
18. **ADJOURNMENT**

ENFORCEMENT COMMITTEE

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

The Board of Chiropractic Examiners' paramount responsibility is to protect California consumers from the fraudulent, negligent, or incompetent practice of chiropractic care.

A quorum of the Board may be present at the Committee meeting. However, Board members who are not on the committee may observe, but may not participate or vote. Public comments will be taken on agenda items at the time the specific item is raised. The Committee 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.

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NOTICE OF PUBLIC MEETING
GOVERNMENT AFFAIRS COMMITTEE
AUGUST 30, 2012
1:30 p.m.
2525 Natomas Park Drive, Suite 120
Sacramento, CA 95833

AGENDA

24. CALL TO ORDER
25. Physical Therapy: Direct Access: Other States' Laws
26. BCE Mission Statement
27. Government Relations: Strategic Plan
28. Legislative Bill Tracking
29. Policies and Procedures for Preparing Legislative Bill Analyses
30. Policies and Procedures for Determining Positions and Testifying on Legislation
31. BCE's Attendance at Other Boards' Meetings
32. BCE Interest in Having Presentations at Board Meetings by State Associations and Colleges
33. BCE Interest in Issuing Proclamations to Recognize Individuals for Their Achievements Consistent with the Board's Consumer Protection Mission
34. PUBLIC COMMENT
35. FUTURE AGENDA ITEMS
36. ADJOURNMENT

GOVERNMENT AFFAIRS COMMITTEE

Hugh Lubkin, D.C., Chair
Julie Elginer, Dr.PH
Heather Dehn, D.C.

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