

NOTICE OF PUBLIC MEETING

The Hilton Los Angeles Airport
5711 West Century Boulevard, La Jolla Ballroom
Los Angeles CA 90045
(310) 410-4000
February 16, 2017
9:30 a.m.

The 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 a physical location.

AGENDA

1. **OPEN SESSION** – Call to Order & Establishment of a Quorum
Heather Dehn, D.C., Chair
Frank Ruffino, Vice Chair
Sergio Azzolino, D.C., Secretary
Julie Elginer, Dr.PH
Dionne McClain, D.C.
John Roza Jr., D.C.
Corey Lichtman, D.C.
2. **Pledge of Allegiance**
3. **Chair’s Report**
Overview of the Board’s accomplishments and/or goals
4. **Approval of Minutes**
October 14, 2016
January 12, 2017
5. **Executive Officer’s Report**
 - A. Administration- Board staffing/Organizational Chart
 - B. Budget- Fund condition update
 - C. Licensing-Statistical trends
 - D. Enforcement- Statistical trends
 - E. Sunset Update
 - F. Strategic Plan Update
6. **Ratification of Approved License Applications**

- 7. Ratification of Approved Continuing Education Providers**
- 8. Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing**
- 9. Discussion on Restructure and Assignments to BCE Committee's**
- 10. Update on Pending Regulations**
 1. Application for Licensure (CCR Section 321)
 2. Consumer Protection Enforcement Initiative (CPEI)
 3. Uniform Standards for Substance Abusing Licensees
 4. Revisions to BCE Disciplinary Guidelines
 5. Mandatory Cardiopulmonary Resuscitation (CPR) Certification for all licensees
 6. Comprehensive Revisions/Updates to CCR Article 4 (Sections 330 – 331.16) – Approved Schools & Qualifications of Applicants (Curriculum Requirements)
 7. Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity of Licensee
 8. Continuing Education Requirements (CE Provider and Course Approval)
 9. Amend or Repeal CCR Section 354- Successful Examination(Obsolete provision)
- 11. 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.
- 12. 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.]
- 13. Hearing Re: Petition for Reinstatement of Revoked License**
 - A. Mohamed El-Shimey
 - B. Ryan Hallmark
- 14. Closed Session**

The Board will meet in Closed Session to:

 - A. Deliberate on Disciplinary Decisions and Petitions Pursuant to California Government Code Section 11126(c)(3)
 - B. Receive Advice from Legal Counsel Pursuant to California Government Code Section 11126(e) Regarding:
 - 1) Hugh Lubkin, D.C. v. Board of Chiropractic Examiners
Workers' Compensation Case No. ADJ7361379

15. **OPEN SESSION: Announcements Regarding Closed Session**
16. **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 Valerie James at (916) 263-5355 ext. 5362 or e-mail Valerie.James@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.



State of California
Edmund G. Brown Jr., Governor

Agenda Item 4
February 16, 2017

Approval of Minutes

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 October 14, 2016 and January 12, 2017, Board meeting minutes.

Background

N/A

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Meeting Minutes from the October 14, 2016 Board meeting
- Meeting Minutes from the January 12, 2017 Board meeting

**BOARD OF CHIROPRACTIC EXAMINERS
PUBLIC SESSION MINUTES**

October 14, 2016
The Westin San Diego
400 W. Broadway, Crystal II Ballroom
San Diego, CA 92101

Board Members Present

Sergio Azzolino, D.C., Chair
Julie Elginer, DrPH, Secretary
Frank Ruffino
Dionne McClain, D.C.
John Roza, Jr., D.C.
Corey Lichtman, D.C.

Staff Present

Robert Puleo, Executive Officer
Spencer Walker, Attorney III
Dixie Van Allen, Staff Services Manager I
Marcus McCarther, Associate Governmental Program Analyst
Valerie James, Management Services Technician

Call to Order

Dr. Azzolino called the meeting to order at 9:40 a.m.

Roll Call

Dr. Elginer called the roll. All members were present, except for Dr. Dehn who was absent. A quorum was established.

Pledge of Allegiance

Mr. Ruffino led the Pledge of Allegiance.

Chair's Report

Dr. Azzolino shared that the Board just completed the Strategic Plan 2017-2019 and that the Board is working on the completion of several major projects, which, include the BCE Occupational Analysis.

Dr. Azzolino announced that Dr. Elginer would be serving the Board in her grace period as of November 2016. Additionally, he acknowledged and thanked Dr. Elginer for her efforts and major accomplishments with the Board.

Approval of Minutes

July 29, 2016

MOTION: DR. ELGINER MOVED TO APPROVE THE JULY 29, 2016 MINUTES AS AMENDED.

- **Correct page 7- Under Motion -Vote: "7-0" to be changed to " 5-1-1"**

**SECOND: MR. RUFFINO SECONDED THE MOTION
VOTE: 6-0 (DR. AZZOLINO-AYE, DR. DEHN-ABSENT, DR. ELGINER-AYE,
DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED**

August 29, 2016

**MOTION: DR. ELGINER MOVED TO APPROVE THE AUGUST 29, 2016 MINUTES.
SECOND: DR. AZZOLINO SECONDED THE MOTION
VOTE: 6-0 (DR. AZZOLINO-AYE, DR. DEHN-ABSENT, DR. ELGINER-AYE,
DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED**

Executive Officer's Report

Mr. Puleo reported that the Board had to re-advertise the Associate Government Program Analyst position in the Compliance Unit. Additionally, he shared that the Board is currently recruiting for an Office Technician and Retired Annuitant position to assist with the regulations.

Mr. Puleo provided an update on the Board's fund condition stating that no significant changes have happened since the last Board meeting.

Dr. Elginer referred to the fund condition report and asked if line item 8880 Financial Information System was related to BreEZe.

Mr. Puleo responded that the amount was not related to BreEZe.

Mr. Puleo summarized the Board's licensing statistics and stated that there were no significant changes in the licensee population.

Mr. Puleo reviewed the Board's Enforcement statistics and provided a brief overview of enforcement activity since the last board meeting.

Mr. Puleo suggested that the Board establish an executive committee with the Chair and Vice Chair to review and possibly restructure the way the statistical information is provided to the Board at public board meetings.

Dr. Elginer agreed with establishing an executive committee and shared that she would provide ideas to Dr. Azzolino and Dr. Dehn.

Dr. Azzolino also agreed with establishing an executive committee to provide stakeholders with more information that would increase consumer protection. Lastly, he suggested the possible addition of a memo with a breakdown of complaints received by the Board.

Mr. Puleo provided an update on BreEZe.

Mr. Puleo provided an overview of the Sunset Review process. He shared that the Board's Sunset Review report is due to the legislature December 1, 2016 and that the Sunset Review hearing would take place spring of 2017.

Dr. Elginer commented that she would like to see the Board continue to monitor the amount the Board contributes to BreEZe.

Dr. Azzolino inquired about when BreEZe system would be implemented.

Mr. Puleo responded the Board would work with DCA SOLID to start the processing mapping and then meet with DCA Office of Information Services(OIS) to determine what information technology (IT) services will best work for BCE.

Ratification of Approved License Applications

MOTION: MR. RUFFINO MOVED TO RATIFY THE APPROVED LICENSE APPLICATIONS.

SECOND: DR. ROZA SECONDED THE MOTION

VOTE: 6-0 (DR. AZZOLINO-AYE, DR. DEHN-ABSENT, DR. ELGINER-AYE, DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)

MOTION: CARRIED

The Board ratified the attached list of approved license applications incorporated herein (Attachment A).

Ratification of Approved Continuing Education Providers

MOTION: DR. MCCLAIN MOVED TO RATIFY THE APPROVED CONTINUING EDUCATION PROVIDERS.

SECOND: DR. LICHTMAN SECONDED THE MOTION

Discussion:

A member of the public requested clarification specifically to what the continuing education providers were being approved to provide.

Mr. Puleo responded that the Board approves the actual providers for continuing education not a specific course.

Dr. Azzolino added that the Licensing, Continuing Education (CE) and Public Relations Committee is currently working on the continuing education regulation and developing provider criteria.

Mr. Puleo encouraged licensees to participate in the regulatory process to update the CE regulation language by attending the Licensing, Continuing Education & Public Relations Committee meetings.

**VOTE: 6-0 (DR. AZZOLINO-AYE, DR. DEHN- ABSENT, DR. ELGINER-AYE, DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED**

The Board ratified the attached list of approved continuing education providers incorporated herein (Attachment B).

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

There were no denied license applications.

Review, Discussion, and Possible Action Re: Sunset Review Report

Mr. Puleo referred to the draft Sunset Review Report in the Board's packet and shared that the Board will review page by page to address corrections.

Dr. Elginer requested clarification on the number of Board approved colleges:

- Page 1- states "19" change to "20"
- Page 29- confirm the amount of board approved colleges is "20"

- Dr. Elginer requested the clarification or suggested items to be added as follows:Page 13- Date of the last sunset review states 2011.
- Page 18- Results 2015/16 - add clarification to results under performance measures and customer satisfaction surveys
- Page 19 – Recommended that a water chart to show the total surveys sent out to consumers
- Page 21- Inquired why the BAR loan was not included.
- Page 22 – Prepare talking points to respond to" Expenditures By Program Component"
- Page 23- Staff Issues provide averages of vacancies

- Page 35- Enforcement Statistics -add talking points to address trending data
- Page 36- Confirm percentages amounts
- Page 37- Confirm averages are correct
- Page 39- Question 51- Create taking points

Dr. McClain referred to page 11 and requested that staff review and confirm board meeting attendance on the following dates:

- June 26, 2014
- July 17, 2014
- January 27, 2015

Dr. Roza referred to page 10 and requested that staff review and confirm board meeting attendance on the following date"

- September 25, 2014

Mr. Puleo on behalf of Dr. Dehn suggested the following changes on page 17.

- Below question number 5, under third bullet, second sentence, place a "period" after offered.
- Third sentence capitalize, "interact" and change to "Interacting"
- Paragraph 9 non-substantive changes for clarity as follows:
 1. First sentence delete - the
 2. Change- "committee" to "committees"
 3. Delete – February
 4. Change "was" to "were"

Dr. Azzolino requested the following on page 42:

- Question number 61 - add a list of chiropractic colleges at which the BCE has held public meetings.

The Board moved to Agenda item 15- Closed Session

The Board went back into Open Session

The Board moved to Agenda item 11- BCE Government Affairs Committee Meeting Update

Dr. Elginer reminded the Board that the legislative cycle had ended and that no additional action would be necessary on bills the Board had taken a position on. Dr. Elginer shared with the Board that in November, the Government Affairs Committee would conduct their annual meet and greets with the legislature and stakeholders. She explained that these meetings provide committee members an opportunity to meet with legislative, agency and department staff to discuss what the BCE does, the goals accomplished and the objectives of the Board for the following year.

The Board moved to Agenda item 10-Licensing, Continuing Education and Public Relations Committee Meeting Update

Mr. Puleo provided an update on behalf of Dr. Dehn. He shared that the committee has continued to work on the CE regulations specific to provider qualification. Mr. Puleo reminded the Board that there have been multiple stakeholder focus groups which discussed possible changes to the CE regulations.

Dr. McClain added that the committee is currently working on a pamphlet to inform the public of the education requirements and training of a chiropractor. She stated that the pamphlet would concentrate on scope of practice and education and that the committee is also looking for ways to connect to stakeholders through social media.

The Board moved to Agenda item 18-Hearings Re: Petition for Early Termination of Probation and/or Reduction of Penalty

A. Daniel Brady, D.C. – DC 27027

The Board moved to Agenda item 18-Hearing Re: Petition for Reinstatement of Revoked License

A. Robert Glover

The Board moved to Agenda item 20- Closed Session

Following oral testimonies, the Board went into Closed Session for deliberation and determinations regarding:

- A. Deliberate on Disciplinary Decisions and Petitions Pursuant to California Governmental Code Section 11126(c)(3)

The Board went back into Open Session

The Board moved to Agenda item 13-Update of Pending Regulations

Mr. McCarther referred to the “BCE List of Prioritized Proposed Regulatory Changes”. He commented that there are no updates on groups B or C.

Mr. McCarther provided an updated on two regulation packages from group A on the regulation prioritization list. First, he discussed the Application for Licensure and Continuing Education (CCR Section 321 & Section 364) regulation package. Mr. McCarther explained that the package is currently under review at DCA in the budget office.

Next, Mr. McCarther discussed the Consumer Protection Enforcement Initiative (CPEI) (CCR Sections 303, 304, 306.3, 308.1, 312,314,317.2, 317.3, 321.1, 384.1, 390.7, 390.)

regulation package. He shared that due to the changes to the current review and submission process, the package is back under review at the Board. Additionally, Mr. McCarther stated that before the CPEI regulation is submitted to DCA, non-substantive changes would need to be made.

The Board moved to Agenda item 14-Legislation Update

Mr. McCarther informed that Board that both AB 2744 (Gordon) Healing arts; referrals and SB 1348 (Cannella) License applications: military bills were signed by the Governor.

Further, Mr. McCarther shared that due to fiscal concerns, AB 2182 (Mullin) Schools athletics: neurocognitive testing was vetoed by the Governor.

The Board moved to Agenda item 15- Proposed 2017 Board Meeting Schedule

Tentatively, the Board selected the following dates for future board meetings:

January 12, 2017– Teleconference Sacramento, California
February 16, 2017– Southern California
May 16, 2017- Sacramento, California
July 25, 2017- Southern, California
October 26, 2017 – San Francisco, California

Dr. Azzolino requested following the board meeting, a memo be sent to the board members of the approved 2017 board meeting schedule.

Review, Discussion, and Possible Action Re: 2017-2019 Strategic Plan

Dr. Azzolino referred to the Strategic Plan in the Board meeting packets.

Dr. Elginer suggested that on page two, third paragraph down, first sentence to delete “most” and add “overwhelming majority”. Further, she noted that on page seven, section 2.2, the word collaborate was italicized and that it was used in both sections 2.2 and 2.3. Additionally Dr. Elginer added that there are no chevrons after the number five on page five and on page ten. Lastly, she suggested that the number of licensee members and public participants at the focus group should be added to page 18.

Mr. McCarther shared that at the previous Government Affairs Committee meeting items were italicized as a reminder so that the full Board could discuss them,

Dr. Azzolino referred to page seven, under section 2.2 and suggested changing “Collaborate” to “Engage”

MOTION: DR. ELGINER MOVED TO APPROVE THE 2017-2019 STRATEGIC PLAN WITH THE FOLLOWING AMENDMENTS:

- *Page 2 - third paragraph down first sentence- delete “most” add “overwhelming majority”*
- *Page 7- 2.2 Change “Collaborate to “Engage”*
- *Page 5 - add chevron after number five*
- *Page10- add chevron at the top after number five*
- *Page 18- add focus group discussion with the number of professional members and public members in July 2016*

SECOND: DR. AZZOLINO SECONDED THE MOTION
VOTE: 6-0 (DR. AZZOLINO-AYE, DR. DEHN-ABSENT, DR. ELGINER-AYE, DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED

Public Comment for Items Not on the Agenda
None.

Future Agenda Items

Dr. McClain proposed a future discussion on the start time of petitioner hearings and closed session.

Mr. Puleo recommended referring the discussion regarding start times for petitioner hearings to the Government Affairs Committee.

Closed Session

Following oral testimonies, the Board went into Closed Session for deliberation and determinations regarding:

- B. Closed Session to receive advice from Legal Counsel Pursuant to California Government Code Section 11126(e) regarding:
 - 1) Hugh Lubkin, D.C. v. Board of Chiropractic Examiners
Workers’ Compensation Case No. ADJ7361379
- C. Evaluation of the Executive Officer Pursuant to California Government Code Section 11126(a)

Open Session

The Board went back into open session.

Adjournment

Dr. Azzolino adjourned the meeting at 4:20 p.m.

(ATTACHMENT A)

**Approval By Ratification of Formerly Approved License Applications
July 1, 2016 – September 30, 2016**

Name (First, Middle, Last)			Date Issued	DC#
George	Ryan	Blackman	7/7/2016	33644
Matthew	James	Kreinheder	7/7/2016	33645
Adnan		Raihan	7/7/2016	33646
Hardeep		Gill	7/12/2016	33647
Kate		Wong	7/12/2016	33648
Hovanes		Gezalian	7/18/2016	33649
Michelle	Yuka	Weaver	7/18/2016	33650
Jereme	Glenn	Anderson	7/27/2016	33651
Peggy	Bikkay	Chin	7/27/2016	33652
Bahareh		Daneshbod	7/27/2016	33653
Jamie	Nadine	Elze	7/27/2016	33654
Jonathan	Floyd	Hamm	7/27/2016	33655
Jennifer	Ilene	Nolan	7/27/2016	33656
Abby	Marie	Perone	7/27/2016	33657
Jorgen	Wesley	Stufkosky	7/27/2016	33658
Kurt	Russell	Hoverson	8/3/2016	33659
Jason	Ross	Kaufman	8/3/2016	33660
Mackenzie	Anne	King	8/3/2016	33661
Courtney	Capri	McKinney	8/3/2016	33662
Davis		Nguyen	8/3/2016	33663
Shannon	Marie	Parisi	8/3/2016	33664
Nora How Yu		Sze	8/3/2016	33665
Lauren	Jeanine	Thompson	8/3/2016	33666
Brenden	Lee	Calio	8/5/2016	33667
Mikel	David	Roy	8/5/2016	33668
Samantha	Beatrice	Jennings	8/10/2016	33669
Leo		Matsumoto	8/10/2016	33670
John		Parker	8/10/2016	33671
Kristiane		Schweitzer	8/10/2016	33672
Bartosz	Ksawery	Bogucki	8/11/2016	33673
Dustin	Ramon	Hack	8/11/2016	33674
Jennifer	Danielle	Hammer	8/11/2016	33675
Brett	Daniel	Long	8/11/2016	33676

Kyle	Arneson	Potter	8/11/2016	33677
Vincent	Victor	Sermeno	8/11/2016	33678
Daniel		Shvartsman	8/11/2016	33679
Edward	Romero	Flores	8/24/2016	33680
Amin		Javid	8/24/2016	33681
Elad		Sinay	8/24/2016	33682
Natalie	Blaine	Pritchett	8/24/2016	33683
Richard	Paul	Braun III	8/29/2016	33684
Jacob	Thomas	Gilly	8/29/2016	33685
Kerry		Huang	8/29/2016	33686
Shane	Hiromu	Koga	8/29/2016	33687
Bianca	Michelle	Page	8/29/2016	33688
Frances	Janine	Walsh	8/29/2016	33689
Vincent	Kenneth	Ibanez	8/29/2016	33690
Astkhik		Bagdasaryan	8/30/2016	33691
Lacie	Lynn	Drennan	8/30/2016	33692
Raul	Ornelas	Ochoa Jr	8/30/2016	33693
Jared	Lynne	Roscoe	8/30/2016	33694
Lindsay	Rochelle	Donaldson	9/7/2016	33695
Laura	Virginia	Eichman	9/7/2016	33696
Kristina	Michelle	Magafas	9/7/2016	33697
Frederick	George	Seyfried	9/7/2016	33698
Elizabeth	Monique	Zamudio	9/7/2016	33699
Nasim		Aghayan	9/9/2016	33700
Bethany	Ann	Miteiko	9/9/2016	33701
Kevin	Thomas	Percuoco	9/9/2016	33702
Haleh		Ranjijfroody	9/9/2016	33703
Amir	Ashkan	Banishahi	9/14/2016	33704
Chad	Allan	Bennis	9/14/2016	33705
Chanel	Grace	Barnes	9/14/2016	33706
Reid	Scott	Etter	9/14/2016	33707
Francoise	Murielle	Gaud	9/14/2016	33708
Michael	Kenneth	Pierce	9/14/2016	33709
Simon	Cheng Guan	Teo	9/14/2016	33710
James	Michael	Alfon	9/21/2016	33711
Ian	Thomas	Ryan	9/21/2016	33712
Jake	Ryan	Williams	9/21/2016	33713
Jayson	Kenneth	Morton	9/22/2016	33714
Xuan		Yi	9/22/2016	33715
Dana	Leigh	Rosen	9/22/2016	33716
Siamak		Amrollahie	9/30/2016	33717

Hasan	M	Najmuddin	9/30/2016	33718
Alexander	Tuan	Pham	9/30/2016	33719
Joseph	Michael	Zingone	9/30/2016	33720

DRAFT

(ATTACHMENT B)

Ratification for New Continuing Education Providers

CONTINUING EDUCATION PROVIDERS	DATE APPROVED
1. Brian T Donley, D.C.	10/14/16
2. Carolyn Belko	10/14/16
3. DC Hours Now	10/14/16
4. Foundation Training	10/14/16
5. George W. Than, D.C.	10/14/16
6. Skalski Chiropractic Radiology	10/14/16
7. South Sports Seminars	10/14/16
8. Jason Amstutz, D.C.	10/14/16
9. Jeff Rynders, D.C.	10/14/16
10. Jeffrey Vanderheyem, D.C.	10/14/16
11. Active Release Techniques	10/14/16
12. Tim O'Shea, D.C.	10/14/16

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**BOARD OF CHIROPRACTIC EXAMINERS
TELECONFERENCE PUBLIC SESSION MINUTES**
January 12, 2017

Teleconference Meeting Locations:

Sergio Azzolino, DC
1545 Broadway St., #1A
San Francisco, CA 94109
(415) 563-3800

Heather Dehn, DC
4616 El Camino Ave., #B
Sacramento, CA 95821
(916) 488-0202

Julie Elginer, Dr.PH
Agoura Hills Library
29901 Ladyface Circle
Agoura Hills, CA 91301
(818) 889-2278

John Roza, Jr., DC
800 Douglas Blvd.
Roseville, CA 95678
(916) 786-2267

Dionne McClain, D.C.
6360 Wilshire Blvd., #410
Los Angeles, CA 90048
(323) 653-1014

Corey Lichtman, DC
538 Stevens Ave.
Solana Beach, CA 92075
(858) 481-1889

Frank Ruffino
Board of Chiropractic Examiners
901 P Street, Suite 142A.
Sacramento, CA 95814
(916) 263-5355

Board Members Present

Sergio Azzolino D.C., Chair
Heather Dehn, D.C., Vice Chair
Julie Elginer, Dr.PH
John Roza, Jr., D.C.
Dionne McClain, D.C.
Corey Lichtman, D.C.
Frank Ruffino

Staff Present

Robert Puleo, Executive Officer
Spencer Walker, Attorney III
Dixie Van Allen, Staff Services Manager I
Marcus McCarther, Associate Governmental Program Analyst
Andreia Mendes, Staff Service Analyst
Valerie James, Management Services Technician

Call to Order

Dr. Azzolino called the meeting to order at 10:02 a.m.

Roll Call

Dr. Elginer called the roll. A quorum was established.

Election of Officers for 2017

A. Chair

**MOTION: DR. AZZOLINO NOMINATED DR. DHEN AS CHAIR
DR. DEHN ACCEPTED THE NOMINATION**

Discussion:

Mr. Walker clarified that a formal motion and a second is not necessary.

VOTE: 7-0 (DR. AZZOLINO- AYE, DR. DEHN- AYE, DR. ELGINER-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, DR. LICHTMAN-AYE, MR. RUFFINO-AYE)

MOTION: CARRIED

B. Vice-Chair

**MOTION: DR. ELGINER NOMINATED MR. RUFFINO AS VICE-CHAIR
MR. RUFFINO ACCEPTED THE NOMINATION**

VOTE: 6-0 -1 ABSTAIN (DR. AZZOLINO-AYE, DR. DEHN-AYE, DR. ELGINER- AYE , DR. MCCLAIN-AYE,DR. ROZA-AYE, DR. LICHTMAN-AYE, MR. RUFFINO- ABSTAINED)

MOTION: CARRIED

C. Secretary

**MOTION: DR. DEHN NOMINATED DR. AZZOLINO AS SECRETARY
DR. AZZOLINO ACCEPTED THE NOMINATION**

VOTE: 6-0 -1 ABSTAIN (DR. AZZOLINO- ABSTAINED, DR. DEHN-AYE, DR. ELGINER- AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, DR. LICHTMAN-AYE, MR. RUFFINO-AYE)

MOTION: CARRIED

Public Comment for Items Not on the Agenda

Mr. Forsyth on behalf of California Chiropractic Association (CCA) congratulated the new BCE Officers.

Future Agenda Items

Dr. Roza inquired about when the new Committee assignments would be established.

Mr. Puleo responded that the new assignments to the BCE Committees would be announced at the next Board meeting.

Dr. Elginer suggested that Board members should let Dr. Dehn know what Committees they are interested in and if they are interested in a leadership role.

Adjournment

Dr. Dehn adjourned the meeting at 10:14 a.m.



State of California
Edmund G. Brown Jr., Governor

Agenda Item 5
February 16, 2017

Executive Officer's Report

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

- Andreia Mendes has accepted the Staff Services Analyst position for the Compliance Unit.
- Star Jennings has accepted the Office Technician position for the Administrative/Licensing Unit.
- Joanne Mikami has accepted the Retired Annuitant Associate Governmental Program Analyst position for the Administrative/Licensing Unit.

B. Budget

- The Executive Officer will provide an overview of the Boards fund condition for Fiscal years 2015-2018. Attached is the analysis of the Boards fund condition.

C. Licensing

- As of January 1, 2016 (FY 2016/17):
 - Total Licensees Population: 13,179

D. Enforcement

- As of July 1, 2016 through December 31, 2016 (FY 2016/17):
 - Complaints Received: 253

E. Sunset Update

- The Board has been notified that the sunset hearing is scheduled for 2/27/17.
- Staff will prepare remarks for the Chair's testimony to the legislature and notify Board Members as necessary.

F. Strategic Plan Update

- The plan has been completed and will be placed on the Board's website.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Org Chart
- Updated Fund Condition
- Licensing Statistics
- Enforcement Statistics
- Strategic Plan

Department of Consumer Affairs
 State Board of Chiropractic Examiners
 February 6, 2017

FY: 2016-17
 Authorized Positions: 19
 CURRENT

BOARD MEMBERS (7)

Robert Puleo
 Executive Officer
 620-110-8862-001

SSMII
 Linda Shaw
 Assistant Executive Officer
 620-110-4801-001

SSM I
 Beckie Rust
 Compliance Manager
 620-110-4800-006

ENFORCEMENT

Compliance Unit
 Lavella Mathews
 Assoc. Gov. Program Analyst
 620-110-5393-002
 Christina Bell
 Assoc. Gov. Program Analyst
 620-110-5393-005
 Andreia Mendes
 Staff Services Analyst
 620-110-5157-009
 Marlene Valencia
 Assoc. Gov. Program Analyst
 620-110-5393-800
 Nikkia Capizzano
 Staff Services Analyst
 620-110-5157-004

SSM I
 Dixie Van Allen
 Admin/Licensing/CE Manager
 620-110-4800-008

ADMIN/LICENSING

Policy/Admin
 Marcus McCarther
 Assoc. Gov. Program Analyst
 620-110-5393-003
 Joanne Mikami
 Assoc. Gov. Program Analyst/RA
 620-110-5393-907
Admin/Licensing
 Brianna Lauziere
 Staff Services Analyst
 620-110-5157-008
 Tammi Pitto
 Staff Services Analyst
 620-110-5157-007
 Estrallita Jennings
 Office Technician (T)
 620-110-1139-008
 Alyssa Vasquez
 Office Technician (T)
 620-110-1139-009
Licensing/Continuing Education
 Genie Mitsuvara
 Staff Services Analyst
 620-110-5157-005

Admin/Licensing
 Valerie James
 Management
 Services Technician
 620-110-5278-001

FIELD OPERATIONS

Field Operations North
 Maria Martinez
 Special Investigator
 620-110-8612-001
 Denise Robertson
 Special Investigator
 620-110-8612-002
Field Operations South
 Yanti Soliman
 Special Investigator
 620-110-8612-003

Executive Officer

Personnel Office

Board of Chiropractic Examiners Staff Functions

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

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

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

Updated
12/12/2016

(Dollars in Thousands)

2016-17 Budget Act	Actual 2015-16	Budget Act CY 2016-17	BY 2017-18
BEGINNING BALANCE	\$ 3,426	\$ 2,279	\$ 1,595
Prior Year Adjustment	\$ 12	\$ -	\$ -
Adjusted Beginning Balance	\$ 3,438	\$ 2,279	\$ 1,595
REVENUES AND TRANSFERS			
Revenues:			
125600 Other regulatory fees	\$ 22	\$ 27	\$ 27
125700 Other regulatory licenses and permits	\$ 153	\$ 179	\$ 175
125800 Renewal fees	\$ 3,235	\$ 3,191	\$ 3,101
125900 Delinquent fees	\$ 37	\$ 49	\$ 49
163000 Income from surplus money investments	\$ 11	\$ 9	\$ 9
161000 Escheat of unclaimed checks and warrants	\$ 1	\$ -	\$ -
172500 Miscellaneous revenues	\$ 1	\$ 1	\$ 1
Totals, Revenues	\$ 3,460	\$ 3,456	\$ 3,362
Transfers from Other Funds			
Loan Repayment To Vehicle Inspection and Repair Fund (0421) per Item 1111-403, Budget Act of 2014	\$ -1,250		
Totals, Revenues and Transfers	\$ 2,210	\$ 3,456	\$ 3,362
Totals, Resources	\$ 5,648	\$ 5,735	\$ 4,957
EXPENDITURES			
Disbursements:			
1110 Program Expenditures (State Operations)	\$ 3,357	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ -	\$ 3,950	\$ 4,082
8880 Financial Information System for CA (State Operations)	\$ 12	\$ 5	\$ 6
9900 Statewide General Administrative Expenditures (Pro Rata)		\$ 185	\$ 240
Total Disbursements	\$ 3,369	\$ 4,140	\$ 4,328
FUND BALANCE			
Reserve for economic uncertainties	\$ 2,279	\$ 1,595	\$ 629
Months in Reserve	6.6	4.4	1.7

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 2016-17**

Total Population of Chiropractic Licenses

Month	Total Licenses
July	13,251
August	13,259
September	13,246
October	13,241
November	13,209
December	13,193

New Chiropractic License Issued

Month	Received	Issued
July	25	15
August	24	36
September	19	26
October	20	19
November	16	17
December	33	15

Number of Restored Cancelled Licenses

Month	Received	Issued
July	1	2
August	5	5
September	4	1
October	2	4
November	2	1
December	3	1

New Satellite Office Certificates Issued

Month	Received	Issued
July	69	91
August	86	82
September	146	137
October	114	123
November	127	102
December	106	96

Corporation Registrations Issued

Month	Received	Issued
July	5	5
August	8	9
September	17	10
October	9	12
November	5	5
December	14	5

Licensing Population as of January 1, 2017

License Type	Clear Licenses
Chiropractors	13,179
Satellite Offices	3,985
Corporation Registrations	1,394

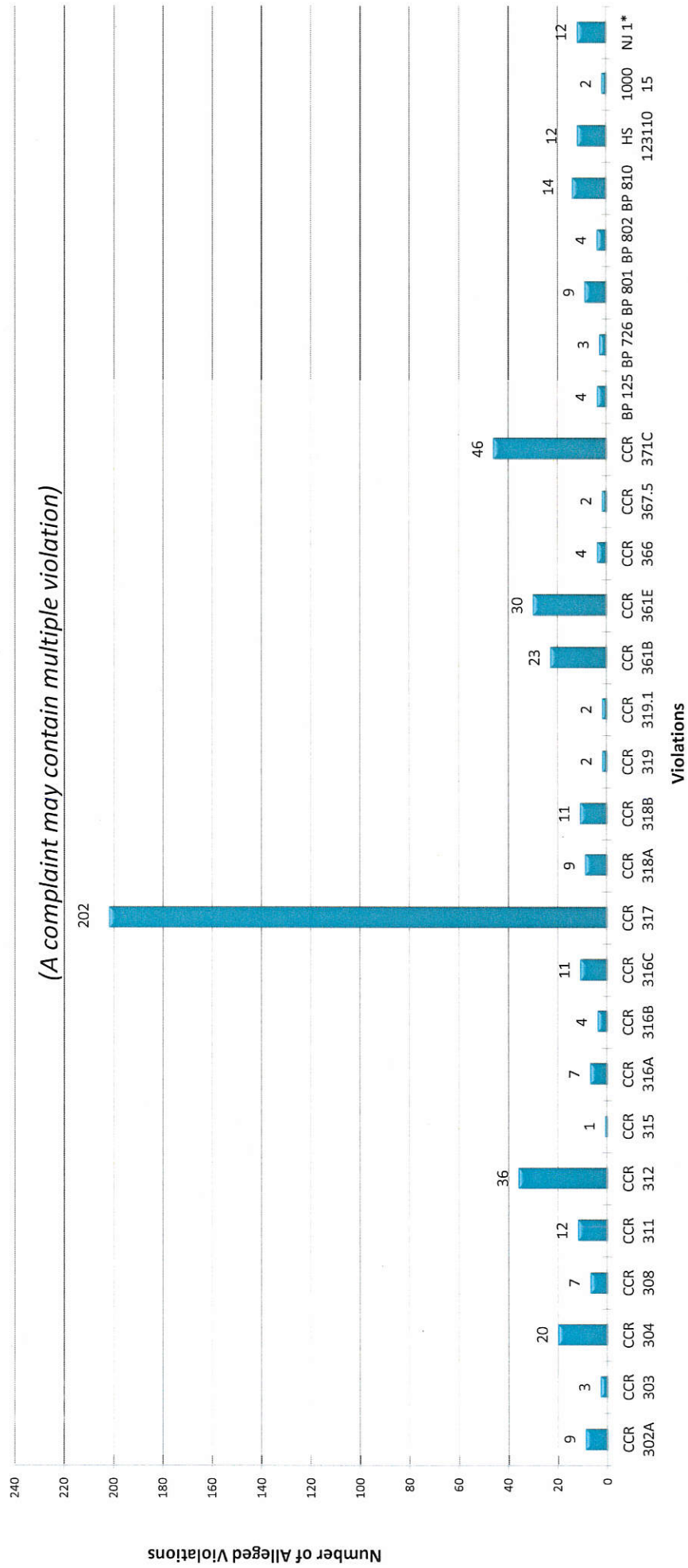
Applications Received and Processed – July 1, 2016 through December 31, 2016

Application Type	Received	Issued	Denied	Pending
Initial Chiropractic	137	128	1	105
Reciprocal	2	0	0	7
Restorations (Cancelled & Forfeiture)	67	51	4	4
Corporation	58	46	3	15

COMPLIANCE UNIT STATS

Fiscal Year	12/13	13/14	14/15	15/16	*16/17
<u>COMPLAINTS</u>					
Received	386	487	557	581	236
Pending	159	214	270	232	162
Closed with Insufficient Evidence	57	88	57	127	28
Closed with No Violation	84	140	100	97	43
Closed with Merit	95	148	220	235	115
Letter of Admonishment	2	5	3	4	3
Citations and Fines Issued (Total Fine Amount)	33(\$19,400)	26(\$18,500)	16(\$12,400)	17(\$11,600)	9(\$10,000)
<u>ACCUSATIONS</u>					
Filed	34	38	22	31	18
Pending	73	56	64	66	60
Revoked	11	12	9	3	5
Revocation Stayed: Probation	31	15	7	13	4
Revocation Stayed: Suspension and Probation	5	4	2	4	4
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	11	8	8	9	8
Dismissed/Withdrawn	9	3	3	2	3
<u>STATEMENT OF ISSUES</u>					
Filed	1	5	2	0	0
Denied	0	2	1	0	0
Probationary License	3	1	2	1	0
Withdrawn	1	2	1	0	0
Granted	0	0	1	0	0
<u>PETITION FOR RECONSIDERATION</u>					
Filed	4	3	0	1	0
Granted	0	0	0	0	0
Denied	2	2	0	1	0
<u>PETITION FOR REINSTATEMENT OF LICENSE</u>					
Filed	6	5	8	7	3
Granted	2	1	1	0	0
Denied	5	3	4	7	2
<u>PETITION FOR EARLY TERMINATION OF PROBATION</u>					
Filed	6	11	4	8	3
Granted	1	0	0	1	0
Denied	1	3	5	2	0
<u>PETITION FOR MODIFICATION OF PROBATION</u>					
Filed	0	3	2	3	0
Granted	0	0	1	1	0
Denied	0	1	1	0	0
<u>PETITION BY BOARD TO REVOKE PROBATION</u>					
File	2	11	5	8	2
Revoked	3	5	2	3	5
<u>PROBATION CASES</u>					
Active	139	135	123	104	97

Fiscal Year 2016/2017
 July 1, 2016 - December 31, 2016
Total Number of Complaints Opened - 253
Total Number of Alleged Violations - 501

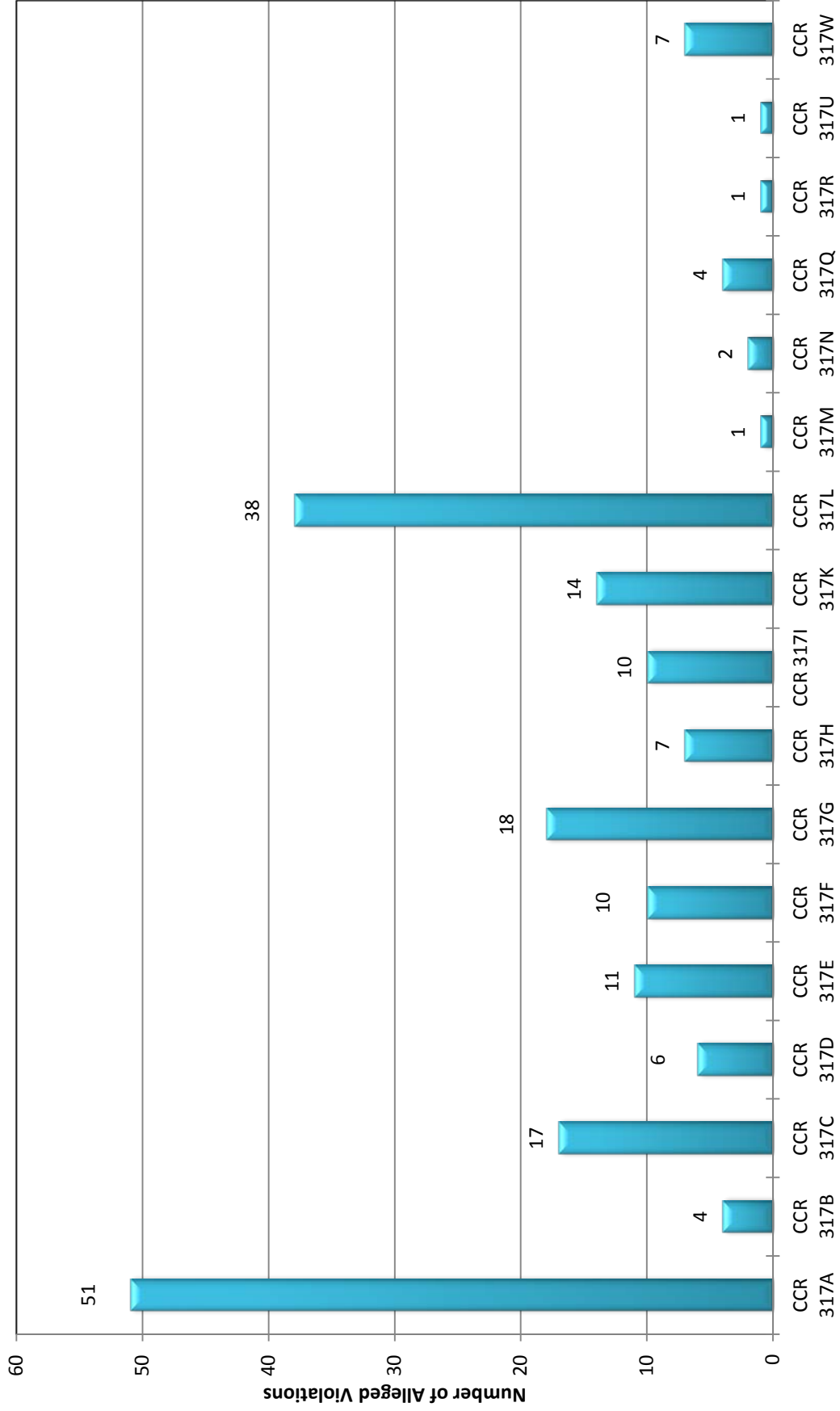


Unprofessional Conduct/Violation Codes/Descriptions

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 2016/2017
 July 1, 2016 - December 31, 2016
Number of Complaints Opened Alleging Violation of CCR 317= 202
(A complaint may contain multiple violations)



Violation: CCR 317 - Unprofessional Conduct

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
- 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):

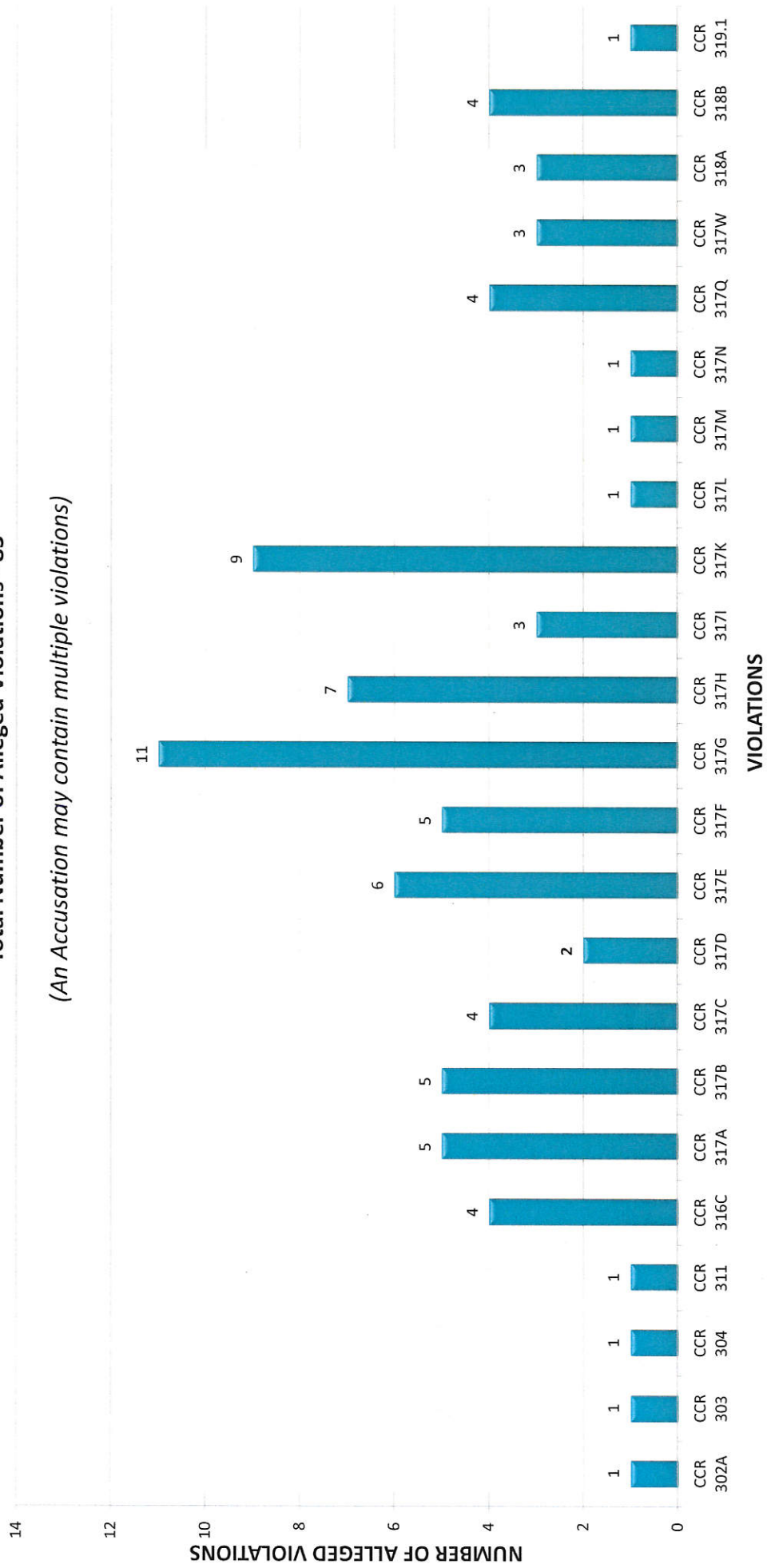
- 125 – Aiding/Abet Unlicensed Activity
- 801 (a) – Professional Reporting Requirements (Ins-malpractice settlements)
- 802 (a) – Professional Reporting Requirements (Lic-malpractice settlements)
- 810 – Insurance Fraud
- 1051 – Apply for a Corporation with the Board
- 1054 – Name of Chiropractic Corporation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

Health and Safety Code (HS):

- 123110 – Patient Access to Health Records

Fiscal Year 2016/2017
July 1, 2016 - December 31, 2016
Number of Accusations Filed - 18
Total Number of Alleged Violations - 85

(An Accusation may contain multiple violations)





Strategic Plan

2017-2019

Adopted:

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Message from the Board Chair



The Board of Chiropractic Examiners is pleased to present its 2017-2020 Strategic Plan. The strategic planning process has been a collaborative effort between BCE members, staff, and the public.

This plan reflects the Board's continued commitment to work closely with stakeholders (chiropractic professionals, professional associations, California chiropractic colleges, and others who expressed interest in the strategic direction of the Board) to meet its mission to protect the health, welfare, and safety of the public through licensure, education, and enforcement in chiropractic care.

We are proud to have accomplished the overwhelming majority of the goals from the 2014-2017 Strategic Plan and with this new blueprint we will continue to move forward as an effective and efficient organization. In this document, we have identified key issues, goal areas for which the Board will be accountable, and actions we will take to get there.

As the Board embarks upon this exciting time in the profession's history, we continue to invite all stakeholders to work with us over the next three years to achieve the goals outlined in the strategic plan.

The Board remains committed to providing the highest level of service as we undertake these endeavors.

Sergio Azzolino, D.C

Chair, Board of Chiropractic Examiners



About the Board

The Board of Chiropractic Examiners (BCE) regulates the chiropractic profession in California. We protect Californians from licensed and unlicensed individuals who engage in the fraudulent, negligent, or incompetent practice of chiropractic. The BCE oversees approximately 14,000 licensees and 19 chiropractic schools and colleges located throughout the United States and Canada.

The BCE was created on December 21, 1922, as the result of an initiative measure approved by the people on November 7, 1922. Governed by a seven member board appointed by the Governor, the board is comprised of five licensed doctors of chiropractic and two members who represent the public. Board members serve four year terms. The board employs an executive officer to lead a professional staff responsible for licensing, continuing education, enforcement, administrative, and other regulatory responsibilities. The executive officer serves at the pleasure of the board.

The BCE's annual budget is funded exclusively by the profession through licensing and other regulatory fees. The BCE does not receive any general fund monies. The BCE allocates approximately 70% of its total operating budget to enforcement related activities.

Mission

To protect the health, welfare, and safety of the public through licensure, education, and enforcement in chiropractic care.

Vision

Excellence in chiropractic care for all Californians.

Values

Consumer Protection Service Innovation Quality
Transparency Efficiency Integrity

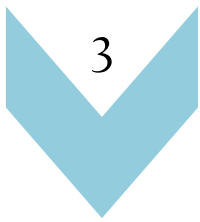
Strategic Goals



Ensure the continuous competency of all Doctors of Chiropractic by promoting licensing standards, professional conduct and requirements for continuing education.



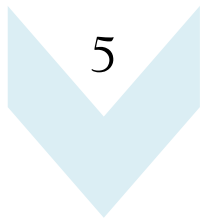
Enforce laws and regulations to ensure consumer protection.



Communicate with consumers, licensees, governmental entities and stakeholders about the current and evolving practice of chiropractic and the regulation of the profession.



Ensure that statutes and regulations strengthen and support the Board's mandate and mission.



Effective utilization of resources to meet goals and objectives.

Licensing and Professional Qualification

Ensure the continuous competency of all Doctors of Chiropractic by promoting licensing standards, professional conduct and requirements for continuing education.

- 1.1 Interface with the Council on Chiropractic Education in order to explore the possibility of revising entrance requirements at chiropractic colleges to enhance the quality and caliber of graduates.

Objective Measurement	
A determination of the path to take is made.	
Action Item	Completion Date
1.1.1 Discuss objective scope with licensing committee at next meeting.	Q4 2016
1.1.2 Invite CCE representative to participate in a licensing committee meeting to discuss possibility of enhancing entrance requirement.	Q4 2016
1.1.3 Depending on results of CCE meeting, partner with SOLID to possibly convene a task force to discuss entrance requirements (FCLB, CCE, CCA, ACA).	Q4 2014
1.1.4 Determine if there is data to share with Board regarding national discussion.	Q4 2014

- 1.2 Establish approval standards for continuing education providers to enhance the quality of education being provided.

Objective Measurement	
Regulations are in place.	
Action Item	Completion Date
1.2.1 Convene two focus groups (North and South) to gather information from stakeholders regarding potential standards.	Q1 2016
1.2.2 Licensing Committee determines final regulatory language regarding approval standards.	Q1 2017
1.2.3 Prepare regulatory package	Q1 2018

- 1.3 Develop and implement an auditing process for continuing education courses to confirm compliance with requirements and conduct quality control of the courses.

Objective Measurement	
Developed auditing mechanism to maintain quality of CE courses and integrity of the CE process.	
Action Item	Completion Date
1.3.1 Review regulations to determine criteria for course content.	Q2 2017
1.3.2 Develop an auditing form/checklist for CE courses.	Q3 2017
1.3.3 Provide a quarterly list of new CE providers and dates for upcoming courses to the Licensing, Continuing Education, & Public Relations Committee.	Q3 2017 (Quarterly)
1.3.4 The Licensing, Continuing Education, & Public Relations Committee assigns auditors to attend CE courses and audit providers.	Q3 2017 (Quarterly)
1.3.5 Submit audit forms to the CE Manager and take action as appropriate.	Q3 2017

- 1.4 Research and implement possible technological solution(s) that address Stakeholders' current inability to utilize online services in order to enhance efficiency and convenience of Board services.

Objective Measurement	
Successful online services provided to Stakeholders.	
Action Item	Completion Date
1.4.1 Meet with DCA OIS to discuss the current IT system and possible alternatives.	Q3 2016
1.4.2 Partner with SOLID to map licensing and enforcement processes to determine business needs.	Q4 2016
1.4.3 Provide DCA OIS with assessment and obtain recommendations for possible IT options.	Q2 2017
1.4.4 If determination is made that BreZE meets business needs work with OIS to implement BreZE.	Q3 2017
1.4.5 If determination is made that BreZE does not meet business needs work with OIS to implement alternative.	Q3 2017

- 1.5 Continue to explore updating chiropractic college curriculum requirements to better align them with contemporary health care education.

Objective Measurement	
New regulations implemented regarding curriculum requirements.	
Action Item	Completion Date
1.5.1 Ask California Chiropractic colleges to recommend necessary and preferred changes to BCE curriculum regulations.	Q1 2017
1. 5.2 Bring recommended regulatory language to Licensing Committee to make a determination.	Q4 2017
1. 5.3 Licensing Committee makes recommendation to full Board.	Dependent on Licensing Committee
1.5.4 Regulatory process begins.	Q4 2019

- 1.6 Develop and implement a new continuing education course regarding BCE laws.

Objective Measurement	
New regulation in place regarding the "Top Ten Violations".	
Action Item	Completion Date
1.6.1 Collect data on enforcement statistics for recently licensed chiropractors and determine trends.	Q1 2018
1.6.2 Identify the top ten most common violations.	Q2 2018
1.6.3 Present trends to licensing committee for their review.	Q3 2018
1.6.4 Licensing Committee makes recommendation to full Board. Note: incorporate with 1.2 regulation package.	Q4 2017
1.6.5 Create a regulation to require CE providers to incorporate the top ten violations in ethics and law course. Note: incorporate with 1.2 regulation package.	Q4 2019

- 1.7 Evaluate and make a determination about amending the Chiropractic Practice Act to affirm that the Board’s mandate maintains consistency with contemporary practice.

Objective Measurement	
Determination is made regarding the direction to take in dealing with the practice act.	
Action Item	Completion Date
1.7.1 Partner with SOLID to convene stakeholder focus groups to discuss the direction of the profession.	Q1 2018
1.7.2 Determine if consensus is met among stakeholders.	Q2 2018
1.7.3 Determine whether amending the practice act is necessary to achieve goals.	Q3 2018
1.7.4 Board to make determination regarding further action.	Q4 2018

Enforcement

Enforce laws and regulations to ensure consumer protection.

- 2.1 Develop and disseminate educational tools and materials that better inform stakeholders of the enforcement process.

Objective Measurement	
Materials created and disseminated.	
Action Item	Completion Date
2.1.1 Establish a two member committee of the Board to review current enforcement data and publications available and determine if content and format is sufficient for Board needs.	Q2 2017
2.1.2 New two member committee to work with staff to develop new or revise existing materials if necessary.	Q4 2017
2.1.3 Create outreach publications and materials educating public on complaint process. * Reference 3.2.2	Q4 2017
2.1.4 Publish Expert Witness Guidelines in the Licensees and Publications tabs of Board website.	Q1 2017

- 2.2 Collaborate with professional associations to establish a code of ethics that promote higher ethical standards for licensees.

Objective Measurement	
Determination is made regarding next steps.	
Action Item	Completion Date
2.2.1 Review CCA's code of ethics at enforcement committee meeting	Q2 2018
2.2.2 Determine whether additional action is necessary or not.	Q4 2018

- 2.3 Collaborate with other regulatory entities to increase their awareness of unlicensed practice (i.e., pastoral) and promote increased enforcement efforts to better safeguard the public.

Objective Measurement	
Other healthcare Boards/Bureaus awareness increased.	
Action Item	Completion Date
2.3.1 Communicate with other healthcare Boards/healing arts regarding cross-cutting enforcement issues.	Ongoing
2.3.2 Track complaints and outcomes related to cross-cutting enforcement issues.	Ongoing

- 2.4 Educate licensees about enforcement issues related to social media in order to mitigate occurrences of these violations.

Objective Measurement	
Documents posted and licensees informed.	
Action Item	Completion Date
2.4.1 Create an outreach document that provides information on potential violations resulting from social media activity.	Q3 2018
2.4.2 Post outreach document on BCE newsletter, website and social media.	Q1 2019 and ongoing

Public Relations and Outreach

Communicate with consumers, licensees, governmental entities and stakeholders about the current and evolving practice of chiropractic and the regulation of the profession.

- 3.1 Establish a process to utilize media outlets to strengthen Board relationships with media and to increase public awareness of Board functions.

Objective Measurement	
Process is in place.	
Action Item	Completion Date
3.1.1 Partner with DCA Public Affairs to identify resources available to increase public awareness.	Q1 2017

- 3.2 Foster relationships with legislators to educate them about the role of the Board in regulating the chiropractic profession.

Objective Measurement	
Educated Legislature	
Action Item	Completion Date
3.2.1 Continue to schedule annual Meet & Greets with legislative offices and provide relevant information.	Ongoing
3.2.2 Create outreach publications and materials educating the public on complaint process.	Ongoing
3.2.3 Be responsive to inquiries from legislators and their staff.	Ongoing

- 3.3 Identify and prioritize opportunities for Board member interactions with schools, associations, and CE providers to educate students and licensees about the role of the Board and to better facilitate reciprocal communication.

Objective Measurement	
Number of events attended by Board Members increased.	
Action Item	Completion Date
3.3.1 Establish a calendar of events sponsored by applicable entities.	Q2 2017
3.3.2 Request administrative approval to travel to out of state events.	Annually
3.3.3 Send a letter from Board Chair to appropriate entities offering to send a Board member representative to address meetings at schools and associations and provide information about Board activities, resources permitting.	Q2 2017 and ongoing
3.3.4 Encourage licensed Board members to become active in their local chiropractic community.	Q1 2017
3.3.5 Establish a tracking log to monitor Board member participation at outreach opportunities.	Q2 2017
3.3.6 Create standard presentation(s) for Board members to present, i.e. enforcement, licensing, role of the Board. *Representing the Board at public or private events needs to be at the approval of the Board Chair and EO.	Q4 2017

Laws and Regulations

Ensure that statutes and regulations strengthen and support the Board's mandate and mission.

- 4.1 Create a process in which the Board Chair establishes a two-person committee per regulation proposal that functions to aid in streamlining the time devoted to coordinating regulation packages.

Objective Measurement	
Reduced timelines for completed regulation packages.	
Action Item	Completion Date
4.1.1 Board Chair appoints two person committees	Q1 2017
4.1.2 Policy analyst to gather relevant background information to inform two-person committee	Ongoing
4.1.3 Review regulation information packet developed by staff	Ongoing
4.1.4 Work with appropriate stakeholders to draft regulation language	Ongoing
4.1.5 Two person committee present proposed regulation to the full Board.	Ongoing
4.1.6 If approved promulgate regulation.	Ongoing

- 4.2 Explore the feasibility of promulgating a regulation that requires licensees to provide their current email address to the Board to facilitate better outreach and communication.

Objective Measurement	
Make a determination regarding mandate of email	
Action Item	Completion Date
4.2.1 Discuss with legal counsel and obtain a legal opinion regarding requiring an email address.	Q2 2017
4.2.2 Put an email field on license application.	Q2 2017
4.2.3 If mandate is not feasible per 4.2.1 explore possibility of revising renewal form to capture email address as an option.	Q4 2017

Organizational Development

Effective utilization of resources to meet goals and objectives.

- 5.1 Explore options for succession planning to better safeguard the Board with continuity of services.

Objective Measurement	
Seamless transition of leadership.	
Action Item	Completion Date
5.1.1 Board leadership prepares other members to take on increased responsibility, including chairing committees and serving as Board officers.	Q1 2017
5.1.2 Board Management to utilize IDP to prepare staff to assume more responsibility.	Q1 2017
5.1.3 Board staff to participate in DCA mentorship program.	Q1 2017
5.1.4 Promote ongoing training and development of all staff.	Q1 2017
5.1.5 EO and AEO determine best method for transferring knowledge to the next generation of leaders.	Q1 2017
5.1.6 Ensure all procedure manuals and instructional materials are up to date.	Q1 2017

- 5.2 Implement an annual review of staff duties and procedures to ensure that procedures manuals are current.

Objective Measurement	
Action Item	Completion Date
5.2.1 Engage with SOLID periodically to do process mapping	Ongoing

- 5.3 Increase opportunities for team building that's inclusive of Board members and staff to educate staff and maintain team relationships.

Objective Measurement	
Improved staff/Board Member satisfaction survey	
Action Item	Completion Date
5.3.1 Schedule True Colors training for staff	Q1 2017
5.3.2 Schedule True Colors training for future Board meeting.	Q1 2017
5.3.3 Work with SOLID to explore and identify other team building opportunities.	Q1 2017
5.3.4 Partner with SOLID to establish a workforce engagement plan.	Q1 2017

- 5.4 Implement customer service training to better equip staff to meet the needs of stakeholders and the public.

Objective Measurement	
Improved customer service.	
Action Item	Completion Date
5.4.1 Contact SOLID to identify customer service training options.	Q4 2016
5.4.2 Enroll staff in appropriate customer service training.	Q1 2017
5.4.3 Enroll all staff in Give 'em The Pickle team building training.	Q2 2017

Strategic Planning Process

To understand the environment in which the Board operates and identify factors that could impact the Bureau's success, the California Department of Consumer Affairs' SOLID unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- An online survey sent to stakeholders, comprised of industry professionals, professional associations, California colleges, continuing education providers and others who expressed interest in the strategic direction of the Board. The online survey received 159 responses.
- Telephone interviews with seven Board members in May and June 2016.
- Two focus group discussion with Board staff and managers in May 2016.

STAKEHOLDERS BREAKDOWN

Stakeholder Group	Number	% of Total
Professional Licensees	143	90%
Retired Licensees	2	<1%
Consumer/Member of the Public	0	0%
Professional Associations	6	4%
School or Chiropractic College	4	3%
Continuing Education Provider	4	3%
TOTAL:	159	100%

The most significant themes and trends identified from the environmental scan were discussed by the Board during a strategic planning session facilitated by SOLID on July 28, 2016. This information guided the Board in the review of its mission, vision, and values, while directing the strategic goals and objectives outlined in this 2017 – 2019 Strategic Plan.



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This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the California Board of Chiropractic Examiners in May, June and July 2016. Subsequent amendments may have been made after Bureau adoption of this plan.