

# Board of Chiropractic Examiners

2525 Natomas Park Drive, Suite 260  
Sacramento, California 95833-2931  
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CA Relay Service TT/TDD (800) 735-2929  
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<http://www.chiro.ca.gov>



## BOARD OF CHIROPRACTIC EXAMINERS NOTICE OF PUBLIC BOARD MEETING

Thursday, April 19, 2007  
9:30 a.m.

Four Points by Sheraton LAX  
9750 Airport Boulevard  
Los Angeles, California 90045  
(310) 649-7024

### AGENDA

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**Call to Order** Richard Tyler, D.C., Chair  
Frederick Lerner, D.C., Vice-Chair  
Francesco Columbu, D.C., Secretary  
Hugh Lubkin, D.C.  
Judge James Duvaras (Ret.), Public Member  
Jim Conran, Public Member

**Approval of Minutes**  
March 1, 2007, Open Session..... A  
March 23, 2007, Open Session..... B

**Hearing re: Petition for Early Termination of Probation**  
• John F. Koningh ..... C

**Hearings re: Petitions for Reinstatement of Revoked Licenses**  
• Robert J. Montoya ..... D  
• Anthony T. Johnson..... E  
• Joseph Cobbs..... F  
• Jeffrey Nabatama ..... G

**CLOSED SESSION**  
Deliberation on Disciplinary Matters and Action on Disciplinary Decisions  
Pursuant to California Government Code Section 11126(c)(3)

**Chair's Report**  
• Introduction of new Board member – Jim Conran  
• Committee Assignments

**Executive Director's Report**  
• Operational Changes  
• FCLB 81<sup>st</sup> Annual Congress – May 2-6, 2007, St. Louis, Missouri  
• Procedure for Placing Items on the Agenda ..... H

**Board Member training on the Bagley-Keene Open Meetings Act, Administrative Procedures Act and other relevant laws**

**Program Reports**  
• Administration  
Budget Update ..... I  
• Enforcement  
Statistics ..... J

Cost Recovery Data.....	K
• Licensing	
License Statistics .....	L
California Law and Professional Practices Exam (CLPPE) Statistics .....	M

**Committee Reports**

Executive Director Search Committee Report

- Executive Director Recruitment and Selection Process
- Qualifications and Salary

Continuing Education (CE) Committee

- Discussion and Action: Approval of CE Courses..... N

**Review of New Application for Board Approval as a Chiropractic College**

- Discussion and Action ..... O

**Palmer Chiropractic College-Florida Decision**

Reconsideration of Board's Approval of College's Application

**Out-of-State College Applications**

Discussion

**Manipulation under Anesthesia (MUA) Decision**

Reconsideration of Board's Motion to Reaffirm MUA as authorized under the Chiropractic Initiative Act

**Status of Sunset Review Committee's Recommendations**

**Announcements** - Next meeting is scheduled for Committees only on June 21, 2007 in Sacramento

**Public Comment**

**New Business** - Future agenda items

**CLOSED SESSION**

**Approval of Minutes**

March 1, 2007, Closed Session ..... P

March 23, 2007, Closed Session ..... Q

**Deliberation on Disciplinary Matters and Action on Disciplinary Decisions**

Pursuant to California Government Code Section 11126(c)(3)..... R

**Adjournment**

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The Mission of the Board of Chiropractic Examiners is to 1) protect Californians from fraudulent or incompetent practice of chiropractic; 2) examine applicants for licensure in order to evaluate entry level competence; and, 3) enforce the Chiropractic Initiative Act and regulations relating to the practice of chiropractic.

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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 Public Meetings Act. Time and order of agenda items are subject to change at the discretion of the Chairperson. The audience will be given appropriate opportunities to comment on any issue before the Board, but the Chair may apportion available time among those who wish to speak. The meeting may be cancelled without notice. For meeting verification or information call Marlene Valencia at (916) 263-5355 ext. 5363 our visit or website at [www.chiro.ca.gov](http://www.chiro.ca.gov).

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**NOTICE:** The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request no later than five working days before the meeting to the Board by contacting Marlene Valencia at (916) 263-5355 ext. 5363 or sending a written request to that person at the Board of Chiropractic Examiners, 2525 Natomas Park Drive, Suite 260, Sacramento, CA 95833. Requests for further information should be directed to Ms. Valencia at the same address and telephone number.

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**EXHIBIT A****DRAFT****BOARD OF CHIROPRACTIC EXAMINERS****PUBLIC SESSION MINUTES**

*Thursday, March 1, 2007*

*9:00 a.m. to 5:00 p.m.*

*State Capitol, Assembly Room 126  
Sacramento, CA 95814*

**BOARD MEMBERS PRESENT**

Richard Tyler, D.C., Secretary  
Judge James Duvaras, Ret.  
Francesco Columbu, D.C.  
Frederick Lerner, D.C.

**BOARD MEMBERS ABSENT**

James Conran

**STAFF PRESENT**

Catherine Hayes, Executive Director  
David Hinchee, Assistant Executive Director  
Jana Tuton, Deputy Attorney General  
Lavella Matthews, Licensing Program Analyst  
Marlene Valencia, Business Services Assistant

**GUESTS PRESENT**

Sarbjit Dhesi, D.C.  
Charles G. Davis, D.C., ICAC  
Rick Skala, D.C.  
Carole M. Arbuckle  
George Cate, Sen. BP & Ed Comm.  
John Bueler, D.C., CCA  
Bill Howe, CCA  
Bill Updyke, D.C., CCA  
Patrick Walborn, D.C.  
Ed Cremata  
Roger Calton

Louise Phillips  
David Oranen  
Azita Banooni  
Kendra Holloway, D.C.  
Al Dockus

## **Call to Order**

Dr. Tyler called the meeting to order at 9:05 a.m.

## **Roll Call**

Dr. Tyler called the roll. All members were present.

Dr. Tyler introduced and welcomed the newest Board member, Frederick Lerner, D.C., who was appointed by the Governor on February 16, 2007.

## **Approval of Minutes**

- December 14, 2006, Open Session

**JUDGE DUVARAS MOVED TO ADOPT THE DECEMBER 14, 2006 OPEN SESSION MINUTES. DR. LERNER SECONDED THE MOTION. VOTE: 4-0. MOTION CARRIED.**

## **Election of Officers**

Dr. Tyler requested nominations for Chair.

Judge Duvaras nominated Dr. Tyler. There being no further nominations, Dr. Tyler closed the nominations for Chair.

**DR. TYLER CALLED FOR A VOTE. DR. TYLER WAS ELECTED AS CHAIR. VOTE: 4-0.**

Dr. Tyler requested nominations for Vice Chair. Dr. Columbu nominated Dr. Lerner. There being no further nominations, Dr. Tyler closed the nominations for Vice Chair.

**DR. TYLER CALLED FOR A VOTE. DR. LERNER WAS ELECTED AS VICE CHAIR. VOTE: 4-0.**

Dr. Tyler requested nominations for Secretary. Dr. Lerner nominated Dr. Columbu. There being no further nominations, Dr. Tyler closed the nominations for Secretary.

**DR. TYLER CALLED FOR A VOTE. DR. COLUMBU WAS ELECTED AS SECRETARY. VOTE: 4-0.**

## **Chairperson's Report**

Dr. Tyler asked Judge Duvaras to head a committee to establish policies or bylaws for the Board. Judge Duvaras accepted.

Dr. Tyler announced that delegates for the National Board of Chiropractic Examiners are due Monday March 5, 2007. Dr. Lerner was chosen as the delegate and Dr. Columbu as the alternate for National Board of Chiropractic Examiners.

Dr. Tyler read a statement regarding the direction of the Board of Chiropractic Examiners. Dr. Tyler stated that with the Board's permission he would like to send it to the various chiropractic publications.

Dr. Tyler then called for a closed session. Dr. Tyler asked that everyone leave the room with the exception of Cynthia Butler, Shawn Steele and Catherine Hayes. Jana Tuton informed the Board that a closed session is with only Board members and Board staff. Dr. Tyler stated that he would then like to have Board members and David Hinchee remain.

The meeting was recessed into closed session at 9:20 a.m. and reconvened into open session at 9:50 a.m.

Dr. Tyler stated that due to time schedules of certain people in the audience he moved to Exhibit Q, Discussion Regarding Manipulation Under Anesthesia (MUA). Dr. Tyler asked anyone who would like to speak regarding this issue to please step forward.

Patrick Shannon, an attorney with the law firm of Greenberg Traurig and Roger Calton, an attorney with the law firm of Calton & Burns, both were representing Dr. Ed Cremata, D.C. Along with them were Ed Cremata, D.C. and Charles Davis, D.C., with the International Chiropractors Association of California (ICAC). Mr. Shannon commented that manipulation under anesthesia (MUA) is chiropractic in nature, MUA is taught in chiropractic schools and that MUA does not violate the use of drugs because the chiropractor is not involved in the administration of anesthesia. Mr. Shannon further stated that he was asked in a previous Board meeting if there were any outstanding contradiction cases. Mr. Shannon continued by stating that the Tain case in no way contradicts, but in fact, reaffirms the authority of the Board of Chiropractic Examiners to make scope of practice decisions. Mr. Shannon then asked the Board if they are prepared to make a resolution reaffirming their position since 1990 that MUA is legal and within the scope and secondly, are they prepared to initiate a rulemaking to solidify that.

Judge Duvaras made a motion that the Board of Chiropractic Examiners reaffirms its longstanding interpretation that manipulation as part of a MUA procedure is authorized under the Chiropractic Initiative Act and is not made illegal simply because the patient is under anesthesia. The acts ban on the practice of medicine and the use of drugs pertains only to the activity of a doctor of chiropractic by his or her own hand and does not preclude a doctor of chiropractic from performing manipulation in a procedure where a qualified anesthesia provider is exclusively responsible for the drugs.

**JUDGE DUVARAS MOVED TO REAFFIRM THAT MUA IS AUTHORIZED UNDER THE CHIROPRACTIC INITIATIVE ACT AND IS NOT ILLEGAL. DR. LERNER SECONDED THE MOTION. VOTE: 4-0. MOTION CARRIED.**

Judge Duvaras requested that MUA be placed on the next Board meeting agenda to initiate a rulemaking to clarify that MUA is within the scope of practice under the act. All members agreed.

### **Petition Hearing for Reinstatement of Revoked License**

Administrative Law Judge Ann Sarli presided over the following petition hearings:

- Carlos Seals
- David J. Oranen
- Thomas J. Wiltse

### **Petition for Early Termination of Probation**

Administrative Law Judge Ann Sarli presided over the following petition hearings:

- Azita Banooni, D.C.
- Geoffrey A. Hodies, D.C.
- William W. Schrader, D.C.

Following the petitioners oral testimonies, the Board heard public statements from Robert Levanthal, Larry Hagman, and Dr. Peter Martin regarding Palmer College Florida. Mr. Levanthal stated that Palmer College Florida first submitted its application on May 18, 2005 seeking approval from the Board, He continued by saying Palmer College Florida is fully accredited by the Council

on Chiropractic Education (CCE). Mr. Levanthal asked the Board to approve the Palmer College Florida application that is on file and to make the approval retroactive to December 1, 2005.

**JUDGE DUVARAS MOVED TO APPROVE THE APPLICATION OF PALMER COLLEGE FLORIDA AND MAKE IT RETROACTIVE TO DECEMBER 1, 2005. DR. COLUMBU SECONDED THE MOTION. VOTE: 4-0. MOTION CARRIED.**

The Board then recessed for lunch at 1:30 p.m. The Board reconvened into executive session at 2:30 p.m. to consider Mr. Seals, Mr. Oranen and Mr. Wiltse's Petition for Reinstatement of Revoked License and Drs. Banooni, Hodies and Schrader's Petition for Early Termination of Probation.

Dr. Tyler called the Board into open session at 3:02 p.m. All Board members were present.

Dr. Tyler introduced and welcomed the newest Board member, Hugh Lubkin, D.C., who was appointed by the Governor on March 1, 2007. Dr. Lubkin, joined the meeting at 3:02 p.m.

## **Program Reports**

### **Administration**

Mr. Hinchee reminded Dr. Tyler that the Board needs to select Federation of Chiropractic Licensing Boards (FCLB) delegates. Dr. Tyler stated that he would call Mr. Hinchee with that information.

### Budget Update

Mr. Hinchee referred to Exhibit H, regarding the Board's current expenditures. Mr. Hinchee stated that the budget is doing well. Dr. Columbu questioned the expenses for IT services rendered by Powell Consulting. Mr. Hinchee explained that the expenses are due to excessive computer mishaps and frequent repairs to the server. Dr. Columbu asked if it was normal for the Board staff to have laptops and remote access. Mr. Hinchee responded by recommending the removal of remote access to all Board staff. Following a brief discussion regarding the removal of remote access by all Board staff, Dr. Lerner made a motion.

**DR. LERNER MOVED TO REMOVE REMOTE ACCESS AND THAT OFFICE COMPUTERS BE SECURED AND SAFEGUARDED FOR CONFIDENTIAL INFORMATION. DR. LUBKIN SECONDED THE MOTION. VOTE 5-0. MOTION CARRIED. DR. LERNER WITHDREW HIS MOTION BECAUSE THE ITEM WAS NOT ON THE AGENDA.**

Dr. Lerner stated that he would like to see the policies for other State agencies. Dr. Lerner then asked Mr. Hinchee to obtain guidelines from other agencies and present it to the Board as an agenda item at a future meeting.

### Cost Recovery Data

Judge Duvaras asked how the Board is doing on collecting attorney fees. Mr. Hinchee referred to Exhibit K. Judge Duvaras suggested that it should be made part of the stipulation that the fees are paid within so many days. Mr. Hinchee stated that it should be be a staff project and involve Judge Duvaras to find a solution on how to plan on cost recovery. Dr. Tyler asked Judge Duvaras to meet with staff and prepare a plan on cost recovery and report back to the Board at the next Board meeting.

### Strategic Plan

Mr. Hinchee referred to Exhibit I, the proposed Strategic Plan and stated that it was prepared by Mr. Hinchee and finalized by Catherine Hayes. Dr. Tyler suggested this item be tabled for discussion until the next Board meeting.

Mr. Hinchee indicated that after the committee assignments have been made, the Regulation Committee can work on the fee regulations.

## **Enforcement**

### List of Complaints

Mr. Hinchee referred to Exhibits J, and reported on the List of Complaints and the various types of complaints the office receives.

### Pending Disciplinary Actions

Mr. Hinchee referred to Exhibit L. Dr. Lerner asked what the codes "L" and "A" mean. Mr. Hinchee stated that he did not know but would find out and let them know.

## **Licensing**

### License Statistics

Ms. Matthews reported on Exhibit M and reported on the license statistics.

### California Law and Professional Practices Exam (CLPPE) Statistics

Mr. Hinchee referred to Exhibit N, and reported on the number of applicants who have taken the exam.

### Review of Palmer Chiropractic College-Florida

Mr. Hinchee referred to Exhibit O, and stated that this is the timeline and supporting documents for the Palmer Chiropractic College application.

### Web License Lookup Statistics

Mr. Hinchee referred to Exhibit P, and reported on the amount and type of license lookups that the Board's website receives.

Dr. Tyler would like to add the discussion of pro-adjuster concerns to the next agenda.

## Announcements

The next meeting is expected to occur on April 19, 2007, in Los Angeles. Dr. Tyler stated that he would contact Mr. Phillips to inquire about having the Board's next meeting at the Southern California University of Health Sciences. There will be a committee meeting on June 21, 2007 in Sacramento.

## Public Comment

Charles Davis, representing ICAC, stated that he would like to revisit and discuss the 50 minutes of CE instructional hours that are equivalent to one hour. He also commented on the need to discuss Regulations 306 and 306.1 at a future meeting.

Barbara Stanfield, D.C., former chair of the Board, voiced concerns about the actions taken by the Board today.

Eric Rice, commented that there is no way that a server can be totally secured.

Dr. Tyler adjourned the public session at 3:55 p.m.



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**EXHIBIT B****DRAFT****BOARD OF CHIROPRACTIC EXAMINERS  
PUBLIC SESSION MINUTES**

*Friday, March 23, 2007*

*2:00 p.m. to 5:00 p.m.*

*Department of Consumer Affairs  
1625 N. Market Blvd., Suite S102  
Sacramento, CA 95834*

**BOARD MEMBERS PRESENT**

Richard Tyler, D.C., Secretary  
Judge James Duvaras, Ret.  
Francesco Columbu, D.C.  
Frederick Lerner, D.C.  
Jim Conran  
Hugh Lubkin, D.C.

**STAFF PRESENT**

Brian J. Stiger, Temporary Interim Executive Director  
LaVonne Powell, DCA Senior Staff Counsel  
Don Chang, DCA Supervising Staff Counsel  
Marlene Valencia, Business Services Assistant

**GUESTS PRESENT**

David Prescott, Attorney  
Charles Davis, D.C., ICAC  
Patrick Walborn, D.C.  
Kevin Eckery  
George Cate, Senate BP & Ed. Committee  
Dean Fallorick, D.C.  
Art Taggart, Deputy Attorney General  
Maggie Craw, D.C.  
Carol Arbuckle  
Louise Phillips  
Lewis Meltz  
Deborah Mattos, SCUHS  
Kendra Holloway, D.C., LCCW

## Call to Order

Dr. Tyler called the meeting to order at 2:03 p.m.

## Roll Call

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

## Determination of Necessity for Special Meeting – Disciplinary Action Against Board Employee

Dr. Tyler stated after learning that it was not proper that he act as both a Board Member and the Board's Interim Executive Director, assistance was requested from the Department of Consumer Affairs (DCA) to provide the Board with a temporary acting Executive Director. DCA offered the services of Mr. Brian Stiger who is, temporarily, serving the Board in that capacity. Dr. Tyler deferred to Mr. Stiger for further explanation of the process that will be used at the meeting. Mr. Stiger explained the process of the day's meeting.

Dr. Tyler asked the panel to briefly introduce themselves. After the introductions, Dr. Tyler read a statement regarding the March 1, 2007 Board meeting. Dr. Tyler deferred to Ms. LaVonne Powell for further explanation of the purpose of the day's meeting. Ms. Powell explained that the Board published two notices of meeting. The first was a regularly noticed meeting to discuss the continued employment of the Executive Director. The second was for a special meeting for the Board to decide its decision made at the March 1, 2007 meeting to withdraw an adverse disciplinary action against a Board employee. After giving the definition of a special meeting, Ms. Powell deferred the matter to the Attorney General's Office for briefing on the action concerning the disciplinary action against a Board member. Mr. Jacob Applesmith, Senior Assistant Attorney General, gave a description of the special meeting under Government Code section 11125.4. Mr. Applesmith concluded that today's special meeting is authorized under that provision of the Government Code. Dr. Tyler asked for a motion that the Board makes a finding that immediate action is necessary to protect the public's interest.

**JIM CONRAN MOVED THAT THE BOARD FINDS IT NECESSARY TO HOLD A SPECIAL MEETING. DR. LERNER SECONDED THE MOTION. VOTE: 6-0. MOTION CARRIED.**

## Reconsideration of Board Decision in Adverse Action against Board Employee

Dr. Tyler deferred to Ms. Powell for meaning of reconsideration. Ms. Powell stated that the motion to reconsider can only be made by a member who voted for the prevailing side. Since the vote was unanimous any of the four members who were present at the March 1, 2007 meeting may make a motion. Dr. Tyler asked for a motion to reconsider the vote on the Board's decision to withdraw the adverse action against the Board employee.

**DR. COLUMBU, ONE OF THE FOUR BOARD MEMBERS WHO VOTED TO TAKE THE ORIGINAL ACTION THAT LED TO THIS MOTION FOR RECONSIDERATION, MOVED TO RECONSIDER THE DECISION TO WITHDRAW THE ADVERSE ACTION AGAINST THE BOARD EMPLOYEE. JUDGE DUVARAS SECONDED THE MOTION. VOTE: 6-0. MOTION CARRIED.**

Dr. Tyler asked legal counsel to explain the employee rights to a public hearing to Mr. Hinchee. Ms. Powell explained the rights to have a public hearing in this matter. Mr. Gaspar Garcia, attorney for Mr. Hinchee, stated that the March 1, 2007 vote was lawful. He continued to say that he personally delivered the signed letter to State Personnel Board (SPB) and Department of Personnel Administration (DPA). Mr. Garcia continued by saying the only problem Judge Connelly had was not with the letter itself but with delivery process because it did not follow normal procedures. Mr. Garcia stated that because the adverse action was unwarranted, it is their position for the Board to continue with its current action in revoking the adverse action against his client.

Continued Employment of the Executive Director

Dr. Tyler asked for a motion to hear Catherine A. Hayes' on continuance of her employment as the Executive Director.

**JIM CONRAN MOVED TO HEAR THE POSITION OF CONTINUED EMPLOYMENT OF THE EXECUTIVE DIRECTOR. DR. LERNER SECONDED THE MOTION. VOTE: 6-0. MOTION CARRIED.**

Dr. Tyler asked legal counsel to explain the employee's rights to a public hearing to Ms. Hayes. Ms. Powell explained the rights to have a public hearing in this matter. Ms. Hayes chose to make a statement after public comment.

David Prescott, Attorney at Law, spoke in opposition of Ms. Hayes' continued employment as Executive Director.

Carole Arbuckle, previous Board employee supervised by Catherine A. Hayes, spoke in opposition of Ms. Hayes' continued employment as Executive Director.

Louise Phillips, former Board employee, spoke in opposition of Ms. Hayes' continued employment as Executive Director.

There being no further public comment, Ms. Hayes, accompanied by her attorney Mr. John Kennedy, read a statement that expressed her feelings regarding her position.

Following Ms. Hayes' statement, the Board recessed into closed session at 2:50 p.m. for deliberations.

Dr. Tyler called the Board into open session at 3:45 p.m.

Dr. Tyler stated that in closed session, the Board voted to rescind its decision of March 1, 2007 that withdrew the adverse action against David Hinchee. The Board voted to terminate without cause, the employment of Ms. Hayes as Executive Director. The Board appointed Brian Stiger as the acting Executive Director for the Board in accordance with the interagency agreement with the Board and the Department of Consumer Affairs. Dr. Tyler clarified that Ms. Hayes termination is effective immediately.

Dr. Tyler appointed Mr. Conran and Dr. Lubkin on a committee to work with Department of Consumer Affairs and Human Resource Office to develop a plan on the selection of a new executive director and report back at the April meeting.

Dr. Tyler asked Mr. Stiger to place reconsideration of the Board's action on its policy regarding manipulation under anesthesia and the application for the approval of Palmer College of Chiropractic Florida on the April Board meeting agenda.

Mr. Conran stated that over the next couple of years he hopes the Board will be viewed as an agency that is preeminent in its ability to reach out to the people it licenses and the people that it's entitled to protect, the people of California.

Judge Duvaras would like to add the following items on the next Board meeting agenda: a rule that Board members are able to place items on the agenda, general discussion regarding chiropractic college out-of-state applications and explanation of the Cooper v. Board of Chiropractic Examiners case.

Dr. Tyler expressed his gratitude to everyone for being so helpful during these trying times. Dr. Tyler adjourned the meeting at 3:50 p.m.

### **Procedure for Placing Items on the Agenda**

Any board member may suggest items for a future board meeting agenda during the “New Business” section of a board meeting or directly to the board chair. To the extent possible, the board chair will make every effort to accommodate each board member’s request. The board chair will work with the executive director to finalize board meeting agendas.

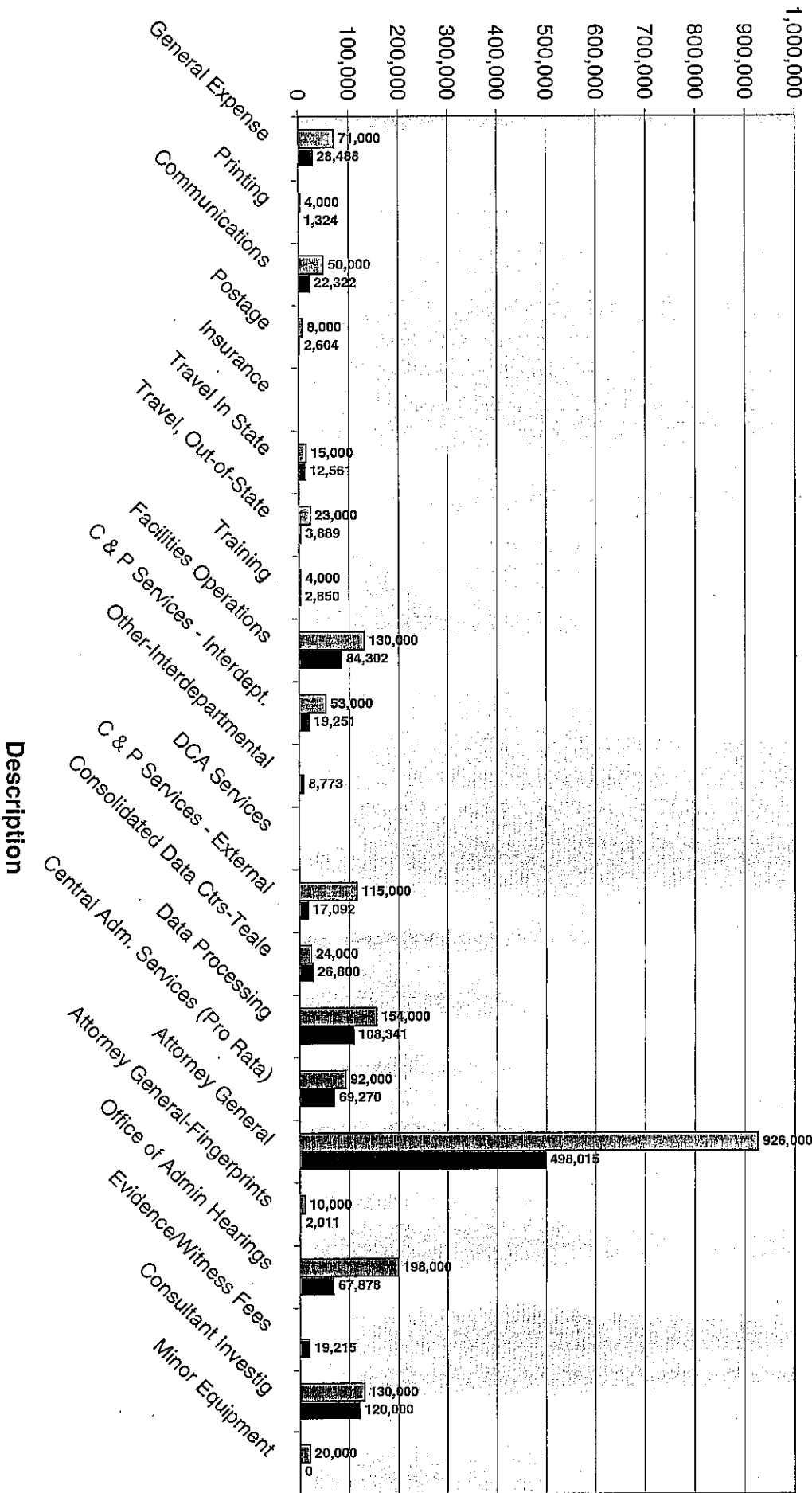
**BUDGET REPORT**  
**FY 2006/07 Expenditure Projection**  
**March 2007 Calstars**

OBJECT DESCRIPTION	FY 2006/07				
	BUDGET ALLOTMENT	EXPENDITURES AS OF 03/31/07	PERCENT OF BUDGET SPENT	BUDGET OFFICE PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE (6/30/07)
<b>PERSONAL SERVICES</b>					
<b>Salaries and Wages</b>					
Civil Service-Perm	617,520	418,803	67.8%	580,121	37,399
Statutory-Exempt (EO)	87,865	63,926	72.8%	97,577	(9,712)
<b>Blankets</b>					
Civil Service-Temp		61,664		92,495	(92,495)
Board Members (901,920)	16,000	4,400	27.5%	9,000	7,000
Overtime	4,615	0		0	4,615
Staff Benefits	264,000	186,410	70.6%	261,699	2,301
<b>TOTALS, PERSONAL SVC</b>	<b>990,000</b>	<b>735,202</b>	<b>74.3%</b>	<b>1,040,892</b>	<b>(50,892)</b>
<b>OPERATING EXPENSE AND EQUIPMENT</b>					
General Expense	71,000	28,488	40.1%	42,732	28,268
Printing	4,000	1,324	33.1%	1,987	2,013
Communications	50,000	22,322	44.6%	33,482	16,518
Postage	8,000	2,604	32.6%	3,907	4,093
Insurance					
Travel In State	15,000	12,561	83.7%	15,000	
Travel, Out-of-State	23,000	3,889	16.9%	10,000	13,000
Training	4,000	2,850	71.3%	4,000	
Facilities Operations	130,000	84,302	64.8%	112,000	18,000
C & P Services - Interdept.	53,000	19,251	36.3%	38,000	15,000
Other-Interdepartmental		8,773		117,000	(117,000)
DCA Services				15,228	(15,228)
C & P Services - External	115,000	17,092	14.9%	25,638	89,362
<b>Departmental Services</b>					
Consolidated Data Ctrs-Teale	24,000	26,800	111.7%	27,000	(3,000)
Data Processing	154,000	108,341	70.4%	154,000	
Central Adm. Services (Pro Rata)	92,000	69,270	75.3%	92,000	
<b>Enforcement</b>					
Attorney General	926,000	498,015	53.8%	800,000	126,000
Attorney General-Fingerprints	10,000	2,011	20.1%	3,017	6,984
Office of Admin Hearings	198,000	67,878	34.3%	116,361	81,639
Evidence/Witness Fees		19,215		32,941	(32,941)
Consultant Investig	130,000	120,000	92.3%	130,000	
Minor Equipment	20,000	0		0	20,000
<b>TOTALS, OE&amp;E</b>	<b>2,027,000</b>	<b>1,114,985</b>	<b>55.0%</b>	<b>1,674,293</b>	<b>252,707</b>
<b>TOTALS, EXPENSE</b>	<b>3,017,000</b>	<b>1,850,187</b>	<b>61.3%</b>	<b>2,715,184</b>	<b>201,816</b>
Sched. Reimb. - Fingerprints	(10,000)			0	(10,000)
Sched. Reimb. - Other	(33,000)	(2,464)		(4,000)	(29,000)
Unsched. Reimb.				0	0
<b>Totals, Reimbursements</b>	<b>(43,000)</b>	<b>(2,464)</b>		<b>(4,000)</b>	<b>(39,000)</b>
<b>NET APPROPRIATION</b>	<b>2,974,000</b>	<b>1,847,723</b>	<b>62.1%</b>	<b>2,711,184</b>	<b>162,816</b>
				<b>Surplus/(Deficit)</b>	<b>5.5%</b>

Dollars

Operating Expenses

■ Budget Allotment ■ Expenditures as of 03/31/07



**BOARD OF CHIROPRACTIC EXAMINERS  
ENFORCEMENT STATISTICS**

EXHIBIT J

	FY 2004/2005	FY 2005/2006	FY 2006/PRESENT
Complaints Received	796	774	525
Complaints Closed	545	855	427
Complaints Referred to Investigator	84	118	56
Investigation Reports Received from Investigator	65	75	47
Compliance Letters Sent	36	45	23
Average Days to Process Complaint	324	322	335
Average Days to Investigate Complaint	290	209	254
Citations Issued	14	36	25
Administrative Disciplinary Actions	34	45	37

# Cost Recovery Summary

July 1, 2004 through June 30, 2006

July 1, 2006 to Present

Outcome	Effective Date	Probation Period	Case Number	License Number	Licensee Name	Recovery Amount	Amount Received	Balance Due
Probation	6/18/2001	7	1998-14	12058	James Slusher	\$24,230.00	\$24,230.00	\$0.00
	1/24/2002	5	2000-149	13353	Otha McKinney	\$6,107.00	\$6,107.00	\$0.00
	3/13/2002	7	2001-151	20870	Robert Dardashti	\$5,204.37	\$5,204.37	\$0.00
	5/3/2002	5	2001-193	16187	Michael P. Hirsch	\$10,649.00	\$10,649.00	\$0.00
	7/26/2002	5	2001-227	14895	Richard Coplin	\$3,300.00	\$3,300.00	\$0.00
	11/18/2002	5	2001-239	17587	Vincent Punturere	\$6,195.75	\$3,289.00	\$2,906.75
	11/20/2002	4	2002-258	17353	Brian A. Brown	\$3,731.00	\$3,731.00	\$0.00
	3/12/2003	5	2001-194	16424	Arhtur F. Hurtato	\$2,580.00	\$2,580.00	\$0.00
	3/12/2003	5	2003-304	20224	Geoffrey Hodies	\$812.00	\$812.00	\$0.00
	4/7/2003	5	2002-267	24177	Mahmoud Reza Moarefi	\$1,597.50	\$1,597.50	\$0.00
	5/28/2003	5	1998-44	22494	Ellen Carol Yandell	\$3,922.00	\$1,751.27	\$2,170.73
	10/10/2003	4	2002-286	19629	Gregory S. Tardaguila	\$2,109.00	\$1,466.00	\$643.00
	10/10/2003	5	2002-294	15274	John F. Koningh	\$4,564.00	\$4,564.00	\$0.00
	11/7/2003	5	2003-335	13738	Lowell Birch	\$2,500.00	\$2,500.00	\$0.00
	1/9/2004	5	2003-308	11144	Kwang Kim	\$2,000.00	\$2,000.00	\$0.00
	1/9/2004	5	2003-338	21021	George P. Khoury	\$2,000.00	\$2,000.00	\$0.00
	1/9/2004	5	2003-365	17546	Daniel W. LaConte	\$1,008.00	\$1,008.00	\$0.00
	1/9/2004	5	2003-369	18934	Michael P. Rippey	\$1,000.00	\$1,000.00	\$0.00
	3/3/2004	5	2001-222	22374	Brian S. Icke	\$6,500.00	\$2,500.00	\$4,000.00
	3/3/2004	3	2003-330	20937	Scott Chipponeri	\$1,288.00	\$1,288.00	\$0.00
	3/3/2004	5	2003-341	26907	Robert J. Nathanson	\$5,012.00	\$5,012.00	\$0.00



Outcome	Effective Date	Probation Period	Case Number	License Number	Licensee Name	Recovery Amount	Amount Received	Balance Due
Probation	6/3/2004	3	2003-327	22280	Azita Banooni	\$2,804.82	\$2,804.82	\$0.00
	6/3/2004	0	2003-349	26329	Eitan Aldad	\$1,541.75	\$1,541.75	\$0.00
	9/3/2004	5	2001-229	13387	William W. Schrader	\$5,455.50	\$5,455.50	\$0.00
	9/3/2004	10	2003-328	25823	Joleen Wignall	\$24,477.25	\$4,303.00	\$20,174.25
	9/3/2004	2	2004-435	14315	Gary Beytin	\$814.00	\$814.00	\$0.00
	10/21/2004	5	2004-445	16845	Phillip Runco	\$1,581.25	\$1,581.25	\$0.00
	11/8/2004	5	2004-393	25040	Derik F. Anderson	\$4,000.00	\$4,000.00	\$0.00
	12/9/2004	5	2003-334	20178	Fernando Luque	\$5,500.00	\$5,500.00	\$0.00
	12/9/2004	3	2003-350	24043	Nariman Zarrabi	\$1,500.00	\$1,500.00	\$0.00
	12/9/2004	3	2003-357	25696	Ibrahim Ahmad Ghanem	\$2,296.20	\$2,296.20	\$0.00
	12/9/2004	5	2003-373	25931	Christopher Sim	\$2,716.00	\$2,716.00	\$0.00
	12/9/2004	5	2003-374	26928	Tom Sim	\$2,576.00	\$2,576.00	\$0.00
	12/20/2004	7	2003-378	22196	Antonio Valencia	\$878.50	\$878.50	\$0.00
	12/20/2004	3	2004-451	16354	John A. Egan	\$3,000.00	\$1,900.00	\$1,100.00
	1/24/2005	2	2004-449	25282	Aaron P. Tjogas	\$3,300.00	\$0.00	\$3,300.00
	2/7/2005	3	2004-446	11797	Roy Kenneth Ramerman	\$2,137.00	\$2,137.00	\$0.00
	3/24/2005	3	2003-362	16137	Gary Jay Miller	\$2,000.00	\$600.00	\$1,400.00
	3/24/2005	5	2004-398	16296	Robert D. Campbell	\$1,372.50	\$1,372.50	\$0.00
	3/24/2005	5	2004-432	9674	Kerby Landis	\$10,000.00	\$10,000.00	\$0.00
	5/12/2005	5	2002-301	21278	Kenneth Cooper	\$9,440.50	\$2,045.42	\$7,395.08
	5/25/2005	5	2001-195	18154	Elias Y. Rached	\$2,310.75	\$2,310.75	\$0.00
	5/25/2005	5	2003-358	20724	Thomas C. Nutting	\$4,800.00	\$4,800.00	\$0.00
	7/5/2005	3	2003-352	21664	Daniel Davis	\$700.00	\$700.00	\$0.00
	7/5/2005	5	2004-434	17722	Gregory Eugene Johnson	\$6,463.00	\$6,463.00	\$0.00
	8/22/2005	7	2002-260	21000	David Hofstetter	\$13,410.00	\$13,410.00	\$0.00

Outcome	Effective Date	Probation Period	Case Number	License Number	Licensee Name	Recovery Amount	Amount Received	Balance Due
Probation	8/22/2005	6	2004-412	22255	Gertrude Johnson	\$586.75	\$586.75	\$0.00
	8/22/2005	5	2004-450	23851	David J. Jacob	\$1,042.50	\$500.00	\$542.50
	9/26/2005	7	2000-151	20870	Robert Dardashti	\$2,684.37	\$2,684.37	\$0.00
	9/26/2005	0	2004-386	16097	Michael Aveni	\$9,208.75	\$9,208.75	\$0.00
	9/26/2005	5	2004-395	18700	Patrick Wymore	\$5,640.00	\$2,100.00	\$3,540.00
	9/26/2005	2	2004-422	21835	Kimberly Carter Williams	\$1,128.33	\$1,128.33	\$0.00
	9/26/2005	5	2005-466	22557	Kenneth Ilwhan Paik	\$1,216.25	\$1,216.25	\$0.00
	10/20/2005	3	2005-479	24884	Marlena Garsha	\$1,320.50	\$1,320.52	(\$0.02)
	11/4/2005	5	2004-433	26567	Ji Hurn Lee	\$1,873.00	\$1,873.00	\$0.00
	12/5/2005	2	2001-189	22754	Sujin Lee	\$4,981.56	\$4,381.56	\$600.00
	12/29/2005	5	2002-288	13874	Thomas Smith	\$1,670.00	\$0.00	\$1,670.00
	12/29/2005	5	2002-288	13874	Thomas Smith	\$6,244.00	\$1,808.42	\$4,435.58
	12/31/2005	3	2004-425	27261	Federico Manuel	\$2,814.00	\$0.00	\$2,814.00
	3/1/2006	5	2003-336	23643	Ashgar J. Ebadat	\$7,000.00	\$0.00	\$7,000.00
	4/10/2006	6	2000-130	17205	Bozena Grazyna Janczar	\$2,390.25	\$0.00	\$2,390.25
	4/13/2006	5	2004-408	26646	Ventura Natividad	\$3,594.00	\$462.00	\$3,132.00
	4/22/2006	5	2004-407	26803	Casey Dean Robinson	\$3,103.75	\$114.00	\$2,989.75
	4/27/2006	5	2003-333	21639	Griffin Bailey	\$3,192.00	\$0.00	\$3,192.00
	5/7/2006	5	2006-496	27953	Philip Victor Schember	\$2,652.50	\$100.00	\$2,552.50
	5/11/2006	5	2003-307	16113	James DeBoer	\$6,000.00	\$1,200.00	\$4,800.00
	5/11/2006	3	2004-410	14230	Francis Scorca	\$7,105.75	\$300.00	\$6,805.75
	5/11/2006	5	2005-472	12204	Gregory Lacey	\$2,500.00	\$500.00	\$2,000.00
	5/11/2006	3	2006-495	20764	Donald Ringer	\$1,496.50	\$1,496.50	\$0.00
	6/3/2006	3	2005-491	23251	Thomas M. Ford	\$1,684.00	\$0.00	\$1,684.00
	7/13/2006	5	1998-18	19341	Robert Mark Zuckerman	\$18,005.50	\$3,240.99	\$14,764.51

Outcome	Effective Date	Probation Period	Case Number	License Number	Licensee Name	Recovery Amount	Amount Received	Balance Due
Probation	7/13/2006	5	2004-455	26821	Er-Gan Tyan	\$3,526.25	\$0.00	\$3,526.25
	7/13/2006	5	2005-487	23177	Omid Javaherian	\$6,000.00	\$0.00	\$6,000.00
	8/7/2006	3	2004-437	20809	John N. Sullivan	\$3,186.25	\$3,186.25	\$0.00
	8/24/2006	5	2001-186	23569	Jon Michael Postajian	\$9,435.25	\$9,435.25	\$0.00
	8/28/2006	3	2006-547	26962	Kenneth K, Huang	\$1,064.00	\$1,064.00	\$0.00
	9/21/2006	5	2005-486	26349	Aprilyn Ann Brock	\$3,264.00	\$281.35	\$2,982.65
	9/21/2006	3	2006-526	14877	Michael Blau	\$401.50	\$402.00	(\$0.50)
	9/22/2006	5	2006-508	18210	Steven L. Backman	\$3,666.00	\$3,666.00	\$0.00
	10/11/2006	3	2004-394	21991	James P. Hall	\$15,000.00	\$2,499.99	\$12,500.01
	10/13/2006	4	2006-520	22457	Michele Ruth Schauer	\$727.50	\$50.00	\$677.50
	11/2/2006	5	2003-364	23408	Jeffrey A. Wood	\$12,830.75	\$0.00	\$12,830.75
	11/2/2006	5	2004-454	21268	Ricky Chen	\$3,778.50	\$0.00	\$3,778.50
	11/17/2006	3	2006-551	25828	Ming Jey Woo	\$1,670.00	\$1,670.00	\$0.00
	11/24/2006	5	2004-461	18950	Nisha Denise Shanley	\$7,414.00	\$0.00	\$7,414.00
	11/27/2006	3	2005-492	28089	Corey A. Hollis	\$1,582.75	\$0.00	\$1,582.75
	12/15/2006	5	2006-505	25819	John Francis Walsh	\$2,320.84	\$2,320.84	\$0.00
	12/15/2006	4	2006-519	24666	Joanne Elaine Wilson	\$6,500.00	\$0.00	\$6,500.00
	12/20/2006	5	2005-463	20758	Dennis D Revere	\$18,332.18	\$0.00	\$18,332.18
	12/20/2006	5	2006-507	17452	Morgan Jensen	\$2,006.50	\$2,006.00	\$0.50
	12/20/2006	2	2006-546	24236	Ngoc H Tran	\$1,437.00	\$215.55	\$1,221.45
	12/29/2006	5	2006-543	27930	Frank Lagomarsino	\$3,200.00	\$300.00	\$2,900.00
	2/15/2007	5	2004-396	22570	Daryoush Amini	\$4,207.00	\$76.54	\$4,130.46
	2/22/2007	3	2006-567	14957	David M Kell	\$2,152.50	\$0.00	\$2,152.50
	2/28/2007	5	2003-375	26397	Duk K Han	\$10,423.25	\$0.00	\$10,423.25
	3/2/2007	3	2003-329	15545	Brian Kowalski	\$2,632.00	\$2,632.00	\$0.00

Outcome	Effective Date	Probation Period	Case Number	License Number	Licensee Name	Recovery Amount	Amount Received	Balance Due
Probation	3/28/2007	3	2006-549	26897	Paul J Lopez	\$1,000.00	\$0.00	\$1,000.00
	3/28/2007	3	2006-552	27833	Raymond T Oca	\$1,000.00	\$0.00	\$1,000.00
	3/28/2007	3	2006-564	11947	Ward L Joiner	\$1,500.00	\$0.00	\$1,500.00
	3/28/2007	5	2006-566	18484	Jacqueline M Kosak	\$7,300.00	\$304.32	\$6,995.68
<b>Probation Totals</b>						<b>\$448,076.92</b>	<b>\$232,626.36</b>	<b>\$215,450.56</b>

**BOARD OF CHIROPRACTIC EXAMINERS  
 LICENSE STATISTICAL DATA  
 As of April 1, 2007**

LICENSE TYPE	CANCELLED	DECEASED	FORFEITED	REVOKED	SUSPENDED	DENIED	INACTIVE	VALID/ACTIVE	CE AUDIT	VOLUNTARY SURRENDER	150-DAY TEMP. LICENSE
DC	7,550	1,103	1,108	316	4	15	1,826	13,786	53	59	25
SAT	3,594	10	1,386	53		1		2,052		3	3
COR	969	48	288	5	1			1,242			
REF	4		15					17			
<b>TOTALS</b>	<b>12,117</b>	<b>1,161</b>	<b>2,797</b>	<b>374</b>	<b>5</b>	<b>16</b>	<b>1,826</b>	<b>17,097</b>	<b>53</b>	<b>62</b>	<b>28</b>

License Types Defined

DC = Doctor of Chiropractic  
 SAT = Satellites  
 COR = Corporations  
 REF = Referral Services

Column Descriptions

Cancelled - pursuant to California Code of Regulations section 355(b).  
 Deceased  
 Forfeited – license is delinquent, 60-days has passed from the date of expiration.  
 Revoked – as a result of a formal disciplinary action.  
 Suspended – temporary suspension of license pursuant to a criminal court order.  
 Denied - denial based upon Family Code section 17520 for failure to resolve delinquent child support payments.  
 Inactive – licensee paid the renewal fee, but did not complete the required Board-approved continuing education hours.  
 Valid/Active – current licensees that have paid their renewal fee and completed the Board-approved continuing education hours.  
 CE Audit – licensees that have been selected for a CE audit.  
 Voluntary Surrender – license surrendered as a result of a formal disciplinary action.  
 150-day Temporary License – license issued for 150-days pending the resolution of delinquent child support payments pursuant to Family Code section 17520.



Board of Chiropractic Examiners  
Public Board Meeting - April 19, 2007

Exhibit N

Legal Counsel will provide an  
update on this issue.

## Check Sheet

## EXHIBIT O

### To the Application for New Chiropractic College Approval

This **Check Sheet** is intended to assist you with filing a *complete* application. All items listed that are applicable to your situation must be submitted in order to assess the Doctor of Chiropractic Program (DCP).

Falsification or misrepresentation of any item or response on this application or any attachment hereto is sufficient basis for denying approval.

#### REFERENCES

Attached to the application is a copy of the California Code of Regulations, Title 16, Article 4, regarding approved schools and qualifications of applicants. Please reference this document when completing the questions on page 2 under Board Approval. These are also available on our website at [www.chiro.ca.gov](http://www.chiro.ca.gov).

#### DOCUMENTATION

- Provide a copy of the Articles of Incorporation.
- Provide a copy of the self-study given to CCE.
- Provide a copy of the governing board's bylaws.
- Provide a copy of the college's statement regarding admission requirements in compliance with CCE standards.
- Provide a copy of the last CCE inspection report.
- Provide a copy of the college's calendar.
- Provide a copy of the college's catalogue.

Section 331.1 of the California Code of Regulations states that:

"A school which initially meets the requirements of these rules shall be first provisionally approved. No school will be finally approved until a provisional program has been in operation for at least two years. No school shall be provisionally approved until it shall present competent evidence of its organizational and financial ability to attain the minimum educational requirements set forth by these rules and institutional goals set forth in its application. No school shall be provisionally approved unless there is a reasonable need for such school in the geographical area in which it is proposed to locate. No school shall be provisionally approved until competent evidence of compliance with the requirements of Section 29023(a)(2) of the Education Code is filed with the Board."



**Board of Chiropractic Examiners**

2525 Natomas Park Drive, Suite 260  
 Sacramento, CA 95833-2931  
 Telephone (916) 263-5355 FAX (916) 263-5369  
 CA Relay Service TT/TDD (800) 735-2929  
 Consumer Complaint Hotline (866) 543-1311  
 www.chiro.ca.gov



## Application for New Chiropractic College Approval

Please **READ** all instructions prior to completing this application. **ALL** questions on this application must be answered, and all supporting documents must be submitted as per instructions. Please type or print neatly. When space provided is insufficient, attach additional sheets of paper. All attachments are considered part of the application.

Please print in ink or type

<b>College Name</b>						
Name of College President _____						
Address	Number	Street	City	State	Zip Code	
Telephone number (    ) _____			E-mail address: _____			
<b>COUNCIL ON CHIROPRACTIC EDUCATION (CCE) ACCREDITATION</b>						
What date was the letter of intent sent to CCE? _____						
When was your self-study completed and provided to CCE (please provide a copy)? _____						
When did the site team come to your campus to validate the self-study? _____						
List the date that the college was incorporated as a not-for-profit corporation and provide a copy of the Articles of Incorporation. _____						
List the names and addresses of your governing body members. _____ _____						
Has the CCE identified any "concerns" with the college's DC Program? If yes, please attach a copy. <input type="checkbox"/> Yes <input type="checkbox"/> No						
When was the college awarded initial accreditation? _____						
Have there been any site visits by the Commission on Accreditation (COA) regarding a special issue of concern or a substantive change as determined by the COA? If yes, please attach a copy. <input type="checkbox"/> Yes <input type="checkbox"/> No						
Is the college accredited by any other accrediting agency? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give the name of the accrediting body _____						
Has the college entered into any resolutions or agreements with CCE that deviate from the COA standards? If yes, attach a copy of the agreement. <input type="checkbox"/> Yes <input type="checkbox"/> No						
What was the date of the last CCE site visit? _____						
What is the date of the next scheduled CCE site visit? _____						

## BOARD OF CHIROPRACTIC EXAMINERS LEGAL REQUIREMENTS

In addition to being CCE accredited, new colleges must also meet specific California requirements.

Provide a detailed explanation of how the college complies with each of the following California requirements, identified by code section. Attach a separate page(s) in response to each of the following sections (the sections are attached for reference).

Section 331.3 Supervision

Section 331.4 Financial Management

Section 331.5 Records

Section 331.6 Catalog

Section 331.7 Calendar

Section 331.9 Student Faculty Ratio

Section 331.10 Faculty Organization

Section 331.11 Scholastic Regulations

Section 331.12.2 Curriculum

Section 331.13 Physical Facilities

I certify under the penalty of perjury that the foregoing information contained in this application and any attachments hereto are true and correct, and that all subjects referred to herein are contained within the established curriculum as set forth in California Code of Regulations, Title 16, Section 331.12.2. Providing false information or omitting required information may constitute grounds for denial of approval status.

\_\_\_\_\_  
Signature of President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or Print the President's Name

(affix college seal)

Est. 4/07

### §331.3. Supervision.

- (a) Every approved school shall be under the supervision of a full-time president, dean, or other executive officer who shall carry out the objective and program of the school. Said officer shall have a minimum of two years experience in school administration prior to his appointment, or its equivalent in training.
- (b) The president, dean, or other executive officer shall render a report annually, covering topics such as student enrollment, number and changes in faculty and administration, changes in the curriculum, courses given, and the projections for future policy. Said annual report shall be filed with the Board within one month following the end of the academic year.
- (c) It shall be the duty of the president, dean, or other executive officer to obtain from each faculty member, prior to the beginning of the semester or school year, an outline and time schedule for each subject of the course. He shall approve such outlines and determine from time to time if they are being observed. A copy of this outline and a schedule of classes, showing the day and hour of presentation and the instructor shall be filed with the Board within three (3) weeks after the beginning of the term.
- (d) The dean shall maintain a record of the teaching load of each member of the staff in terms of classes taught, supervision, student counseling, committee work, and other assigned activities.
- (e) A permanent file of all class schedules, beginning with those as of the date of the school's approval shall be maintained by the dean. These shall be available for inspection and comparison with the courses described in the relative catalogs.
- (f) Schedules must be kept up to date and posted on a bulletin board available for student inspection.

### §331.4. Financial Management.

The college shall keep accurate financial records and shall file an annual financial report including a profit and loss statement as well as an asset and liability statement prepared and signed by a qualified accountant. Said financial report shall be filed with the Board within three (3) months following the end of the school's fiscal year.

### §331.5. Records.

There shall be maintained a good system of records, showing conveniently and in detail, the attendance, discipline, grades and accounts of the students, by means of which an exact knowledge can be obtained regarding each students work. A personal file must be maintained for each student containing his admission credentials, photographs and other identifying personal items. Fireproof storage must be provided for the safekeeping of records.

### §331.6. Catalog.

The school shall issue, at least biennially, a catalog setting forth the character of the work which it offers, and said catalog shall be filed with the Board. The content and format shall follow the usual pattern of professional school catalogs, and shall contain the following information:

- (a) A list of its trustees, president, dean and other administrative officers and members of the faculty with their respective qualifications;
- (b) Courses set forth by department, showing for each subject its content, value in term, semester hours, or credit hours;
- (c) Entrance requirements, conditions for academic standing and discipline, such as attendance, examinations, grades, promotion and graduation;
- (d) Matriculation, tuition, laboratory, graduation and special fees, and estimated costs of books, instruments, dormitory and board; and
- (e) Descriptions of the library, audio-visual facilities, laboratories and clinic facilities setting forth at least the minimum requirement hereinafter set forth in rules.

(f) No school will be accepted or retained in good standing which publishes in its catalog or otherwise, any misrepresentation regarding its curriculum, faculty or facilities for instruction.

### **§331.7. Calendar.**

Each school may elect to use the semester, trimester or four-quarter term system.

A school calendar shall designate the beginning and ending dates of terms or semesters, the vacation periods and legal holidays observed, and the dates for semester and final examinations. The recitation or lecture period shall be not less than 50 minutes in length. The school may operate on a five or six-day week or any combination thereof, but the total number of hours of instruction shall be not less than 30 hours nor more than 35 hours per week. The total number of hours provided for each complete student's course, leading to the degree of Doctor of Chiropractic, shall be not less than 4,400 hours distributed over four academic years of nine months each.

### **§331.9. Student Faculty Ratio.**

(a) The full-time equivalent student-faculty ratio shall be at least one full-time professor to every fifteen (15) students enrolled in the school.

(b) A full-time professor is one who devotes a minimum of 38 hours per week to his academic duties.

(c) The maximum enrollment for any class in laboratory or clinical work shall be limited to the number which may, by Board standards, sufficiently be trained with the equipment and facilities available in such laboratory clinic.

(d) All classes and laboratory sessions, including clinics, shall be conducted under the presence and supervision of a full-time professor.

(e) There shall be one instructor for each twenty-five (25) students in the laboratory and/or clinic courses.

### **§331.10. Faculty Organization.**

(a) A faculty shall be organized by departments. Regularly scheduled meetings of the full faculty shall be had to provide a free exchange of ideas concerning:

- (1) The content and scope of the curriculum;
- (2) The teaching methods and facilities;
- (3) Student discipline, welfare and awards;
- (4) Faculty discipline and welfare;
- (5) Committee reports and recommendations;
- (6) Recommendations for the promotion and graduation of students;
- (7) Administration and educational policies; and
- (8) Recommendations to the administrative officers and to the trustees.

(b) The dean shall appoint the following standing committees of which he shall be a member ex officio: admissions and credentials, curriculum, clinic, laboratories, library and examinations, grades and records.

### **§331.11. Scholastic Regulations.**

(a) Admission.

(1) Each school shall have a committee on admissions and credentials. The admission of students shall be in the hands of a responsible officer who is a member of the committee and his decision shall be subject to the approval of the committee.

(2) No applicant shall be admitted to any school until he has been personally interviewed for the purpose of determining his character, scholastic aptitude, mental and physical fitness to study and practice. When a great geographic distance precludes personal interview, the same information, supported by affidavits and photographs, may be substituted for the personal interview.

(3) Documentary evidence of preliminary education must be obtained and kept on file. All transcripts of other schools must be obtained directly from such schools.

(4) It is strongly recommended by the Board that an entrance examination compiled and administered by recognized testing agencies (e.g., A.C.T., S.A.T.) be required of all students prior to matriculation in order to prove their ability to do college level work.

(b) Date of Matriculation. No student shall be matriculated at a later date than one week immediately following the advertised date of the commencement of the school term.

(c) Qualifications of Students. No student shall be matriculated in an approved school unless he is of good moral character and is without major physical deficiencies, except as provided in Section 8.1 of the Act.

(d) Professional Education. Students shall not be matriculated in any school approved by the board unless they possess, and submit to the school upon their application for matriculation, either:

(1) A diploma from a standard high school or other institution of standard secondary school grade evidencing completion by the student of a four (4) year course, or

(2) A certificate from the board stating that the student has submitted proof, satisfactory to the board, of education equivalent in training power to a high school course. The certificate shall bear a date prior to the applicant's matriculation date in any school approved by the board.

(3) A student who seeks admission in any school approved by the Board after November 3, 1976, shall be subject to the following: The candidate must have completed, with a satisfactory scholastic record, at least 60 semester hours or an equivalent number of quarter hours in prechiropractic subjects at a college listed in the U.S. Office of Education "Education Directory--Higher Education." The specific prechiropractic subjects and hour requirements shall be in accordance with the standards adopted by the Council on Chiropractic Education.

(e) Advanced Standing.

(1) Applicants for admission to advanced standing shall be required to furnish evidence to the school:

(A) That they can meet the same entrance requirements as candidates for the first year class;

(B) That courses equivalent in content and quality to those given in the admitting school in the year or years preceding that to which admission is desired have been satisfactorily completed;

(C) That the work was done in a chiropractic college acceptable to the committee on admissions of the college; and

(D) That the candidate has a letter of recommendation from the dean of the school from which transfer is made.

(2) Credits for work done in colleges of liberal arts and sciences will be allowed based on the regulations of the Council on Chiropractic Education.

(3) Credits for basic science subjects on the professional level shall be in accordance with the provisions of the regulations of the Council on Chiropractic Education.

(4) A student desiring to re-enter the college after a lapse in attendance of one or more years shall fulfill the entrance requirements applying to the class which he seeks to enter. Students whose education was interrupted by service in the armed forces are exempt from this requirement.

(5) For all such students admitted to advance standing there will be, therefore, on file with the registrar the same documents as required for admission to the first-year class and in addition a certified transcript of work completed, together with a letter of honorary dismissal from the college from which transfer was made.

(6) No candidate for a degree shall be accepted for less than one full academic year of resident study.

(f) Attendance. In order to obtain credit for a course, a student shall have been present in class at least 90 percent of the time and shall have received a passing letter grade. When the absence exceeds 10 percent, the student shall be automatically dropped from the class. If the absences have been due to illness or other excusable reasons and if evidence of these reasons can be submitted, the student may apply for readmission through the dean's office and may be given credit for attendance upon the recommendation of his instructor and completion of course requirements. Students shall be required to spend the last academic year of the course in residence in the college which confers the degree.

(g) Promotion.

(1) Promotion from one school term to another should be by recommendation of the instructors and consent of the committee on credentials or other similar committee. The decision should be based upon careful evaluation of the student's attendance, application, conduct and grades in quizzes and examinations. In other words, the final standing of the student in each subject shall be based upon the composite judgment of the responsible instructors in that department, and not solely upon the result of written examinations.

(2) A student failing in any subject in a school term should be required to repeat the subject.

(h) Requirements for Graduation. The requirements for admission to the school shall have been fulfilled and the candidate, in addition to scholastic qualitative requirements, shall have completed a minimum quantitative requirement of 4,400 hours of instruction in four academic years of nine months each. The last year shall have been spent in the school granting the degree.

The candidate shall have complied with all the regulations of the school and be recommended for the degree by the faculty.

(i) Special (Graduate of An Approved Chiropractic School) or Unclassified Subject. Persons so registered may not be a candidate for a degree. If they desire to become candidates, they shall satisfy the usual requirements for admission as well as the degree requirement. No work done under this classification will be accepted for credit beyond 90 days from the date of matriculation. Holders of a valid chiropractic degree are exempt from this requirement.

(j) Degree. The degree conferred for completion of professional undergraduate work shall be Doctor of Chiropractic (D.C.).

### §331.12.2. Curriculum.

All applicants for licensure shall be required to comply with this section in order to qualify for a California chiropractic license.

(a) Course of Study: Every school shall have a curriculum which indicates objectives, content and methods of instruction for each subject offered.

(b) Required Hours and Subjects: Each applicant shall offer proof of completion of a course of instruction in a Board-approved chiropractic college of not less than 4,400 hours which includes minimum educational requirements set forth in Section 5 of the Act. The course of instruction completed by the applicant shall consist of no less than the following minimum hours, except as otherwise provided:

Group I	Anatomy, including embryology, histology and human dissection	616 hours
Group II	Physiology (must include laboratory work)	264 hours
Group III	Biochemistry, clinical nutrition, and dietetics	264 hours
Group IV	Pathology, bacteriology, and toxicology	440 hours
Group V	Public health, hygiene and sanitation, and emergency care	132 hours
Group VI	Diagnosis, including E.E.N.T. and serology, dermatology and sexually transmitted diseases, geriatrics, X-ray interpretation, and neurology	792 hours
Group VII	Obstetrics, gynecology, and pediatrics	132 hours
Group VIII	Principles and practice of chiropractic to include chiropractic technique, chiropractic philosophy, orthopedics, X-ray technique, and radiation protection	430 hours
	Clinic, including office procedure	518 hours
	Physiotherapy	120 hours
	Psychiatry	32 hours
	Electives	660 hours
		<b>Total 4,400 hours</b>

(c) Subject Presentation: Laboratory teaching with actual student participation shall be included in human dissection, histology, chemistry, physiology, bacteriology, pathology, X-ray and physiotherapy. Each school shall have and use at least one phantom or equivalent equipment for X-ray class and other courses as may be necessary for adequate teaching.

Classes shall be presented in proper academic sequence. Each student shall be taught micro and gross anatomy, human dissection, and physiology before pathology; biochemistry before or concurrent with physiology; and diagnosis before or concurrent with the study of pathology. Clinic hours shall be taken only after a student completes all hours in or concurrently with diagnosis.

(1) ANATOMY: To include gross anatomy, human dissection, embryology and histology.

(2) PHYSIOLOGY: To include the physiology of blood and lymph, circulation, respiration, excretion, digestion, metabolism, endocrines, special senses and nervous system.

(3) BIOCHEMISTRY AND NUTRITION: Biochemistry to include the chemistry of foods, digestion, and metabolism. Nutrition to include dietetics and clinical nutrition in the prevention and treatment of illnesses.

(4) PATHOLOGY AND BACTERIOLOGY: Pathology to include general and special pathology. Bacteriology to include parasitology and serology.

(5) PUBLIC HEALTH, HYGIENE, SANITATION AND EMERGENCY CARE: To include sanitary and hygienic procedures, First Aid, minor surgery, prevention of disease, and Public Health Department regulations.

(6) DIAGNOSIS: To include physical, clinical, laboratory and differential diagnosis; E.E.N.T., geriatrics, serology, dermatology, syphilology, roentgenology (technique and interpretation) and the rules and regulations of the Radiologic Technology Certification Committee of the State Department of Health Services.

(7) OBSTETRICS, GYNECOLOGY AND PEDIATRICS: To include the standard routine diagnostic procedures and clinical and laboratory examinations.

(8) PRINCIPLES AND PRACTICE OF CHIROPRACTIC, DIETETICS, PHYSIOTHERAPY, AND OFFICE PROCEDURE: To include history and principles of chiropractic, spinal analysis, adjustive technique of all articulations of the body, orthopedics and patient counseling in curriculum subject matters.

(9) PHYSIOTHERAPY: To be eligible for licensure, each applicant must furnish proof satisfactory to the Board of successful completion of the required 120 hours of physiotherapy course work and additional clinical training in which the theory, principles and use of the standard recognized physiotherapy equipment and procedures were demonstrated to and used by the applicant. This shall include a minimum of thirty (30) patient office visits in which physiotherapy procedures are performed by the student on their own clinic patients. If physiotherapy course work is not offered by the chiropractic college where the student matriculated, the required instruction and clinical training in physiotherapy may be completed at another Board-approved chiropractic college, provided such course is a regular credit course offered primarily to matriculated students.

Physiotherapy course work not completed prior to graduation from chiropractic college may be fulfilled by course work taken subsequent to graduation at a Board-approved chiropractic college in conjunction with clinical training in physiotherapy offered by that college. Such course work and clinical training must be regular credit course work and clinical training offered primarily to matriculated students.

(10) OFFICE PROCEDURE: To include private office and case management, the writing and completion of reports and forms for insurance claims, and the provisions, rules and regulations of the Chiropractic Act, and the Radiologic Technology Certification Committee of the State Department of Health Services.

(d) Additional Hours and Subjects: It is recommended that a school offer elective subjects, including chiropractic meridian therapy, counseling, hypnotherapy and biofeedback. The school may offer and require for graduation courses of more than 4,400 hours.

(e) Clinics: Each student shall be provided with actual clinical experience in the examining, diagnosing, and treatment of patients. Such clinical experience shall include spinal analysis, palpation, chiropractic philosophy, symptomatology, laboratory diagnosis, physical diagnosis, Xray interpretation, postural analysis, diagnostic impressions, and adjusting of various articulations of the body, psychological counseling and dietetics. Individual case files on each patient together with a record of dates and treatments given and student treating shall be kept and available to the board for inspection.



Clinical hours, as described in this section, including those relating to physiotherapy, must be completed in a clinic operated or supervised by a chiropractic college.

Each student shall be required to complete, as a minimum for graduation, the following:

(1) Twenty-five (25) physical examinations of which at least ten (10) are of outside (not student) patients.

A physical examination shall include an evaluation of all vital signs, case history, orthopedic and neurological testing. Students shall also have practical clinical laboratory training, including twenty-five (25) urinalyses, twenty (20) complete blood counts (CBCs), ten (10) blood chemistries, and thirty (30) X-ray examinations. Students shall perform ten (10) proctological and ten (10) gynecological examinations. Proctological and gynecological examinations may be performed on a phantom approved by the Board. Gynecological and proctological examinations not completed prior to graduation may be completed after graduation at a Board-approved chiropractic college.

(2) Students shall perform a minimum of two hundred and fifty (250) patient treatments (visits), including diagnostic procedures, chiropractic adjustive technique and patient evaluation.

(3) Written interpretation of at least thirty (30) different X-ray views, either slide or film, while a senior in the clinic, in addition to other classroom requirements which shall include the spinal column, all other articulations of the body, and soft tissue.

(4) Minimum of five hundred eighteen (518) hours of practical clinical experience (treating patients in the clinic).

### §331.13. Physical Facilities.

(a) General: Each school shall own, or enjoy the assured use of a physical plant large enough to accommodate classrooms, lecture rooms, laboratories, a clinic, a library and administrative and faculty offices. Each school shall meet and maintain the standards and requirements established by or under the authority of the laws of the State of California governing educational institutions and all applicable city and county ordinances wherein the school is located and shall maintain competent evidence of such compliance, for examination by the Board.

(b) Administrative Offices: The administrative offices shall provide adequate office space for faculty members. There shall be space available for faculty conferences.

All furnishings shall be serviceable and functional and there shall be sufficient office equipment, subject to Board approval, to efficiently manage the business of the school.

There shall be fireproof storage for all records and documents required by the Chiropractic Initiative Act, statute, or regulations.

All administrative offices shall meet the standards and requirements incorporated by subparagraph (a) above.

(c) Classrooms: There shall be sufficient number and size of classrooms to separately accommodate the graded classes in 1st, 2nd, 3rd and 4th year classes. No two or more subjects shall be taught in the same classroom simultaneously. No two or more student classes (1st, 2nd, 3rd and 4th year) shall be taught in the same classroom simultaneously.

Classrooms shall be located where there is quiet and freedom from interruption and distraction.

All classrooms shall be furnished with audio-visual aids appropriate to the subject matter being taught, and desks and chairs or tablet armchairs. There shall be effective shades to darken rooms equipped with visual projection apparatus.

All classrooms shall meet the standards and requirements incorporated by subparagraph (a) above.

(d) Laboratories: Laboratories shall be well lighted and ventilated and shall be equipped for the practical work in human dissection, histology, chemistry, physiology, bacteriology, pathology, laboratory diagnosis, roentgenology, physiotherapy and chiropractic technique.

Anatomy and pathology laboratories shall contain standard equipment. No more than ten (10) students shall be assigned per table. Sinks should be equipped with wrist action or foot pedal valves, and supplied in a sufficient number. Human cadavers and specimens for individual and small group demonstrations shall be supplied. If human cadavers are not available, or state law prohibits their use, schools must obtain prior written approval from this Board.

Microscopic laboratories shall have one microscope and one desk light for each two (2) students in the class.



Chiropractic technique laboratories shall be equipped with one chiropractic adjusting table for every four (4) students in the class.

Actual student experience with X-ray phantom or equivalent for all areas of the body shall be necessary.

Additionally, all laboratories shall meet the standards and requirements incorporated in subparagraph (a) above.

(f) Teaching Aids and Equipment: For the subject of physiotherapy there shall be sufficient generally recognized equipment for classroom and clinic purposes (to include sine galvanic, ultrasound, diathermy, ultraviolet, heat, cold, percussion, and transaction). For the practical work and physical diagnosis students shall be required to own the ordinary and usual diagnostic instruments, including, but not limited to, thermometers, stethoscopes, sphygmomanometers, oto-ophthalmoscope examination sets, and orthopedic-neurological examination instruments.

Each school shall own and teach the use of the current standard diagnostic instruments and a list of same shall be made available to the Board upon request. For classroom demonstration and visual education aids, each school shall own charts, mannequins, skeletons, bone collections, anatomical and embryological models, stereopticons, balopticons, micro-projections, and video players or similar projection equipment. The film and slide library shall be constantly augmented by the addition of new material.

(g) Library: A library shall be provided for the use of the student body. The minimum requirements for a library are:

(1) Operation of the library shall be under the direct supervision of a full-time librarian holding a degree in library science.

(2) The library shall be open to students a minimum of eight (8) hours per day. It shall have room available for study purposes to accommodate at least ten (10) percent of the enrolled students at one time. Hours shall be posted.

(3) The library volumes shall be cataloged, using a generally accepted system.

(4) The library shall consist of a minimum of 5,000 volumes of which 2,000 shall be less than ten years of age. Only cataloged scientific volumes which are of interest to the published curriculum of the school can be counted as library volumes. Unbound journals and periodicals shall not be counted in determining compliance with this rule.

(5) Each school shall conduct a program of student orientation as to the use of the library and class assignments involving the use of the library.

(h) Clinic: Each school shall operate a general out-patient clinic where the senior students will obtain actual experience, practical knowledge and skill in:

(1) Diagnosis, including physical examination, palpation, spinal analysis, clinical pathological, laboratory findings, X-ray, and tentative and working diagnoses.

(2) Adjustive technique, dietetics, and psychotherapy for the care or prevention of disease in accordance with Section 7 of the Act.

Such a clinic shall at all times be under the supervision of a clinician who meets the standards of the Council on Chiropractic Education.

The minimum requirements of a clinic are:

(A) A reception room with a minimum seating capacity for ten (10) persons.

(B) A minimum of five (5) patient dressing rooms that are equipped with at least curtains to ensure privacy.

(C) An administration area wherein at least one full-time secretary shall be located and patient files shall be maintained.

(D) A minimum of one (1) office for each faculty member supervising the clinic with a minimum of two (2) such offices.

(E) Separate lavatories for men and women with a minimum of one (1) each.

(F) A minimum of one (1) physical examination room for every ten (10) students concurrently present and enrolled in the clinic.

(G) A minimum of one (1) chiropractic adjusting table for every five (5) students performing adjustments on clinic patients with a minimum of five (5) such tables.

(H) A minimum of one (1) X-ray examination room that is equipped with at least one (1) X-ray machine that has a capacity of no less than 125 KV plus 300 M.A. There shall also be an X-ray developing room that is equipped with the appropriate and necessary film processing equipment as required by the Board. This room may be an area within the X-ray procedure room or shall be located in the immediate area in the same building of such X-ray procedure room. A list of minimal X-ray equipment which shall be used must be obtained from the Board.

(I) A lab room equipped with a sterilization facility, unless waived in writing by the Board.

(J) In addition to the requirements of section 331.12(e), each student's work, conduct, reliability and personality shall be evaluated in writing by his or her supervising teacher and such evaluation shall become a part of the student's record and shall be available for inspection by the Board.

(i) Operation and Maintenance of the Physical Plant. In addition to the requirement of subparagraph (a) above, each school shall operate and maintain all physical equipment in good repair.

Lockers shall be available for student use.

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