BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

NOTICE OF BOARD MEETING

Southern California University of Health Sciences
16200 E Amber Valley Drive, Legacy Hall
Whittier, CA 90604
July 25, 2017
(562) 947-8755
9:30 a.m.

The Board of Chiropractic Examiners (Board) plans to webcast this meeting at https://thedcapage.wordpress.com/webcasts/.
Webcast availability cannot, however be guaranteed due to limitations on resources or other technical difficulties that may arise. If you wish to participate or to have a guaranteed opportunity to observe, please attend at the location specified above.

AGENDA

1. **Open Session –** Call to Order & Establishment of a Quorum
   Heather Dehn, D.C., Chair
   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**
   Update on the Chair's Activities and Board's accomplishments and/or goals

4. **Approval of Minutes**
   a. May 16, 2017
   b. June 14, 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

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. **Occupational Analysis Presentation by Heidi Lincer-Hill, Chief Office of Professional Examination Services**

10. **The Pastoral Medical Association (PMA) Presentation by Peter Jenkins, President of LawPartnering Inc.**

11. **Update on Government Affairs & Public Affairs Committee Meeting; Potential Board Action**
    Board may take action on any item on the attached Government Affairs Committee meeting agenda.

12. **Update on Enforcement Committee Meeting; Potential Board Action**
    Board may take action on any item on the attached Enforcement Committee meeting agenda.

13. **Update and Discussion on Pending Rulemaking:**
    a. Application for Licensure (CCR Section 321)
    b. Consumer Protection Enforcement Initiative (CPEI)
    c. Uniform Standards for Substance Abusing Licensees
    d. Revisions to BCE Disciplinary Guidelines
    e. Mandatory Cardiopulmonary Resuscitation (CPR) Certification for all licensees
    f. Comprehensive Revisions/Updates to CCR Article 4 (Sections 330 – 331.16) – Approved Schools & Qualifications of Applicants (Curriculum Requirements)
    g. Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity of Licensee
    h. Continuing Education Requirements (CE Provider and Course Approval)
    i. Amend or Repeal CCR Section 354- Successful Examination (Obsolete provision)

14. **Review, Discussion, and Possible Action to Adopt or Amend Rulemaking: Title 16, CCR Sections 321 & 364 (Application for Licensure and CE Requirements)**

15. **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.

16. **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.]

17. **Hearings Re: Petition for Early Termination of Probation and /or Reduction of Penalty**
    a. Sharon Brown, D.C. Case No. SI 2014-1002
    b. Kerry Woods, D.C. Case No. AC 2013-979

18. **Closed Session**
    The Board will meet in Closed Session to:

a. Deliberate on Disciplinary Decisions and the Above 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

19. OPEN SESSION: Announcements Regarding Closed Session

20. 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.

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

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Agenda Item 4
July 25, 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 May 16, 2017, and June 14, 2017, Board meeting minutes.

Background

N/A

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Meeting Minutes from the May 16, 2017, Board meeting
- Meeting Minutes from the June 14, 2017, Board meeting

BOARD OF CHIROPRACTIC EXAMINERS
PUBLIC SESSION MINUTES

May 16, 2017
The Department of Consumer Affairs, Headquarters II
1747 N. Market Blvd., Room #186
Sacramento, CA 95834-1924

DRAFT

Board Members Present
Heather Dehn, D.C., Chair
Frank Ruffino, Vice Chair
Sergio Azzolino, D.C., Secretary
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
Mendes, Andreia, Staff Services Analyst
Valerie James, Management Services Technician

Call to Order
Dr. Dehn called the meeting to order at 9:41 a.m.

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

Pledge of Allegiance
Mr. Ruffino led the Pledge of Allegiance.

Chair's Report
Dr. Dehn introduced Dean R. Grafilo, Director of the Department of Consumer Affairs (DCA).

Moved to Agenda item 10-Update from the Department of Consumer Affairs
Mr. Grafilo acknowledged and thanked the Board Members for their dedication to the profession and is looking forward to working together to protect the consumers of California and improve the practice of chiropractic. Lastly, he highlighted his previous

work experience.

Dr. Dehn shared that she testified with Mr. Puleo at the Joint Legislative Sunset Review Committee hearing on February 27th and provided an overview of the Committees questions asked regarding processing times, the jurisprudence exam and the Boards fund condition. Additionally, the Board will go through the mandated steps and ask the Joint Legislative Committee for a temporary fee increase and work towards a permanent fee increase. She has met with DCA's Budget office for clarification on the Board's fund condition and pro rata cost.

Dr. Dehn provided an update on Board member engagement with stakeholders including California Chiropractic Association (CCA), Federation of Chiropractic Licensing Boards (FCLB), National Board of Chiropractic Examiners (NBCE), and Southern California University of Health Sciences.

Lastly, she encouraged the other Board Members to participate as examiners for the administration of part four of the national exam.

Dr. Dehn introduced CCA's new Executive Director, Dawn Benton, and Government Affairs Director, Jillian Hacker.

Dr. Dehn also introduced Dr. Cynthia Tays, FCLB's District IV Director and past president of the Texas Board of Chiropractic Examiners. Dr. Tays, shared that, like the BCE, the Texas Board is going through the sunset review process and is encountering many of the same enforcement issues as the BCE. Dr. Tays extended an invitation to attend future FCLB meetings.

Approval of Minutes

February 16, 2017

MOTION: MR. RUFFINO MOVED TO APPROVE THE FEBRUARY 16, 2017 MINUTES.
SECOND: DR. MCCLAIN SECONDED THE MOTION

Discussion:
Dr. Azzolino stated that he didn't adjourn the meeting and suggested a correction to page 8- Adjournment change "Dr. Azzolino" to "Dr. Dehn"

MOTION: DR.DEHN MOVED TO APPROVE THE FEBRUARY 16, 2017 MINUTES AS AMENDED.
SECOND: DR. AZZOLINO SECONDED THE MOTION

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

DRAFT

Executive Officer's Report

Mr. Puleo referred to the organizational chart and announced that the Board is fully staffed. He introduced the Board staff that were present and thanked them for their ongoing support.

Mr. Puleo provided an update on the Board's fund condition and the balance remaining on the loan from the Bureau of Automotive Repair. He shared that he met with the Department of Consumer Affairs (DCA) Budget Office to discuss the Board's declining fund condition and explained that the decrease in the Board's fund is due to a number of factors, including, an increase in statewide pro-rata and a slight decrease in revenue due to a gradual decline in the licensee population.

Mr. Puleo introduced Marina O'Connor, Wilbert Rumbaoa, and Kevin Driskill from DCA's Budget Office.

Ms. O'Connor referred to the FY 2016-17, expenditure projection document in the Board's packet and provided an overview of the Board's expenditures. She explained that the Board has a projected surplus of 1.8 percent and is on track to stay within its appropriation this FY.

Mr. Puleo emphasized that the Board is staying within its operating budget and the fund is not depleting due to excessive spending. In fact, the Board regularly reverts money to the fund at the end of the fiscal year, which has helped defer the need to increase fees. However, the increasing gap between revenue and expenditures has led to a decline in the fund.

Dr. Dehn suggested that staff obtain a list from the budget office that details the statewide pro-rata services. She shared her concerns on the pro-rata increase from FY 2015-16 to FY 2016-17. Additionally, she requested clarification on whether the expenses will level out once the board transitions to BreEZe.

Dr. Azzolino inquired about the timeline for the implementation of BreEZe and expressed his concerns regarding the development expenses the Board has already incurred.

Mr. Puleo shared that the Legislature requires the Board to have a process analysis to determine business needs prior to moving forward with any IT project. The Organizational Change Management (OCM) unit within SOLID will oversee the mapping of all of the Board's current processes. Additionally, he met with Jason Piccione, the Deputy Director of OIS and feels confident that BreEZe will fulfill the IT needs of the Board. Lastly, he is optimistic that the Board will transition to a new IT system within a year of completing the process analysis.

DRAFT

Mr. Driskill shared that Board's and Bureaus were provided an annual pro rata guide that provides valuable information about the support and services that DCA delivers, how those costs are distributed, and who to contact for those services.

Ms. O'Connor provided an overview of the pro rata amounts for FY 2016-17 and explained that the amounts are what the Board is budgeted to spend; however, it can be more or less , which can result in a savings to the Board. Additionally, the Budget Office reviews the Board's actual expenditures on a quarterly basis and noted that the Board can never be charged more than what the budgeted amount.

Mr. Driskill explained that in September, the budget office would be able to see the projected statewide pro rata amounts for FY 2018-19.

Mr. Puleo shared that he is currently working with the Legislature and DCA's Budget Office to enact a temporary renewal fee increase through a Sunset Bill or Omnibus Fee Bill. The temporary renewal fee increase will ensure that the Fund remains solvent until the Board has had an opportunity to conduct an audit of all existing fees and adopt a comprehensive fee regulation. Mr. Puleo anticipates these tasks taking approximately three years and has asked the Budget Office to determine how much additional revenue would need to be generated to keep the Fund solvent in the meantime.

Ms. O'Connor referred to the FY 2017-18 Governor's Budget fund condition scenarios and explained the revenue projections based on fee increases of 10%-50% on all the categories so that the Board's fund can remain solvent for several years.

Mr. Rumbaoa provided an overview of the fund condition scenarios with fee increases of percentages 10%-50% and included assumptions that would generate revenue to sustain the Board's fund. He concluded a 20% increase would keep the Board's fund solvent until FY 2021-22.

Mr. Puleo emphasized that, initially, we would only raise the renewal fee. The remaining fees as well as the renewal fee would ultimately be adjusted based on the audit determinations.

Dr Dehn asked if the loan repayment to the Bureau of Automotive Repair (BAR) was included in the assumptions.

Mr. Rumbaoa responded that the repayment to BAR was included in the assumptions it also assumes that the license population remains steady.

Dr. Dehn asked about the next steps for the fee increase. Specifically, who will decide on the percentage and will this amount require a vote by the board.

Mr. Puleo responded that he is currently working with DCA's Budget Office and with staff at the Senate & Assembly Business and Profession Committees to schedule a meeting to discuss the possibilities of placing a temporary increase in one of their bills.

DRAFT

Additionally, staff has completed the Assembly B&P Fee Worksheet, which requests background information in support of the requested increase.

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

Mr. Puleo summarized the Board's enforcement statistics and provided a brief overview of enforcement activity since the last Board Meeting.

Dr. Azzolino requested clarification on the fines amounts for citations.

Mr. Puleo provided an overview on the process for assessing fines on citations.

Dr. McClain requested clarification on trends of violations that result in an issuance of a citation issued.

Mr. Puleo responded that each year is different and it is somewhat difficult identify trends in a specific type of violation.

Dr. McClain asked if we could place information about deceptive advertising violations regulation on the Board's social media sites.

Dr. Dehn suggested that the enforcement committee work on strategic plan goal 2.4.1 to create an outreach document that provides information on potential violations resulting from social media activity.

Dr. Roza asked if we ran a report of the amounts of fines owed to the Board.

Mr. Puleo explained that unpaid fines are submitted to the Franchise Tax Board (FTB) for collection. Additionally, he provided an overview of the cost recovery processes for citations and disciplinary actions. Lastly, he shared that overall the Board recovers most costs associated with citations and disciplinary actions.

Mr. Puleo directed the Board's attention to letter inviting the Pastoral Medical Association to provide an overview of its role in health care administration at a future Board meeting. He noted that, to date, he has not received a response.

Mr. Puleo shared that staff is currently working with DCA to enable licensees to submit their renewal payments online.

Mr. Puleo provided a brief overview of the BCE's testimony at the hearing.

Mr. McCarther shared that the Sunset Review report, along with the Board's responses to questions from the Joint Sunset Review Committee is available on the Board's website.

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Mr. Puleo referred to the Board's Strategic Plan and shared that the document is available on the Board's website.

Dr. Dehn requested that the Committees look over the strategic plan and start to work on their respective goals.

Ratification of Approved License Applications

MOTION: DR. AZZOLINO MOVED TO RATIFY THE APPROVED LICENSE APPLICATIONS.
SECOND: DR. LICHTMAN SECONDED THE MOTION
VOTE: 6-0 (DR. AZZOLINO-AYE, DR. DEHN-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. LICHTMAN MOVED TO RATIFY THE APPROVED CONTINUING EDUCATION PROVIDERS.
SECOND: MR. RUFFINO SECONDED THE MOTION
VOTE: 6-0 (DR. AZZOLINO-AYE, DR. DEHN-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.

Introduction of California Chiropractic Association's (CCA) new Executive Director, Dawn Benton and Director of Government Relations, Julian Hacker.

Ms. Benton announced that the CCA publishes a weekly newsletter and stated she is looking forward to working with the Board. She offered to distribute any information we would like to share with their members.

BCE Licensing, Continuing Education (CE) & Public Relations Committee Meeting Update

DRAFT

Dr. McClain shared that the committee is currently working on Strategic Plan goal 1.1 (interfacing with the Council on Chiropractic Education to explore entrance requirements at chiropractic colleges). The Committee has made progress on proposed revisions to the existing CE regulations. Dr. McClain stated that the Committee would like to move ownership of Strategic Plan goal 1.7 (evaluate and make a determination about amending the Chiropractic Practice Act) to the Executive Officer and Board Chair and/or the Executive Committee.

The Committee is considering alternatives to the current CE regulations (Sections 360-366 of Title 16 of the California Code of Regulations). In an effort to build a foundation and streamline the revisions to the Board's current CE regulations, the Committee reviewed Arizona's CE regulations and application as a possible model.

Dr. McClain requested each Board member to email responses to the following questions to Mr. Puleo by the end of May:

- What do you believe is the purpose of CE?
- What competencies are necessary for a licensed chiropractor to safely practice?
- How much CE is necessary to ensure minimum competence?
- Are the Arizona's CE regulations a good model?
- Mandatory vs. Elective subjects?

Dr. McClain would like to know if the other Board Members believe the Arizona language would be a good model to use for amending the Board's current CE regulations.

Dr. Dehn stated that the purpose of CE is to ensure that licensees maintain minimum competency. She believes the Arizona regulation is a good model and that our current 24 hour CE requirement is appropriate.

Dr. Azzolino shared that licensees need to continually advance in the profession. He believes that the Arizona Regulation is a good model and that CE is a great way for the Board to be proactive in ensuring protection of the public.

Mr. Ruffino concurs with the previous comments and encouraged the Board to consider the minimum competency.

Dr. Lichtman agreed with the previous comments and stated that the purpose of CE is to increase the knowledge and skills of licensees..

Mr. Puleo noted that applicants must demonstrate a minimum level of competency before receiving their Chiropractic License. He stated that the Board needs to demonstrate the necessity and justify any proposed amendments to current regulations. He further suggested adding a requirement for new licenses to attend of at least one board meeting.

DRAFT

Dr. Roza agreed that the Arizona CE regulation is a good model, the current 24-hour requirement is good and that he will answer the questions in an email to Mr. Puleo.

Dr. McClain shared that there are benefits to allowing electives to meet the needs of the current trends in elective subjects.

Mr. McCarther requested that Board members also provide their ideas on core competencies they believe should be included in the proposed CE language.

Legislative Update

Mr. Ruffino updated the Board on the status of SB 746 (Portantino). He noted that this bill was a reintroduction of AB 1992, which failed passage in the prior legislative session. SB 746 was pulled by its author prior to its hearing in the Senate Education Committee. The author's office has stated that they will not be moving the bill forward during the current session.

Mr. Ruffino stated that the Committee will continue to monitor bills that would have a potential impact on the Board. However, no bills require the Board to take a position at this time.

Dr. Dehn inquired about updates on scheduling the annual meet and greets with Legislative staff (action item 3.2.1 of the strategic plan). She inquired whether the Committee has agendized goal 3.1 (establish a process to utilize media outlets to strengthen Board relationships with media and to increase public awareness of Board functions).

Mr. Ruffino responded that the legislative meetings will be scheduled in November 2017 and that strategic plan goal 3.1 is a continuous discussion of the Committee. These items will be placed on the agenda for the next Committee meeting.

Mr. McCarther shared that the Committee will meet with DCA's Deputy Director of Communications to discuss resources that the Board can utilize for social media.

Update on Pending Regulations

Mr. McCarther referred to the "BCE List of Prioritized Proposed Regulatory Changes". He provided an update on three regulation packages. On May 3rd the Board received notification from the Office of Administrative Law (OAL) that our Application for Licensure Rulemaking File (CCR Sections 321 & 364) had been denied. He stated that the board can resubmit this rulemaking package within 120 days of the disapproval decision and that the necessary changes are under review with the Board's staff and legal counsel.

Mr. McCarther added that the Uniform Standards for Substance Abusing Licensees and the Disciplinary Guidelines packages would be combined as advised by Mr. Walker.

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Mr. McCarther stated that staff is currently working on the following proposed regulatory changes: Delegation of Authority to the Assistant Executive Officer regulation (CCR Sections 306, 389,390.4 & 390.5); CPR; and Consumer Protection Enforcement Initiative (CCR Sections 303, 304, 306.3, 308.1, 312, 314, 317.2, 317.3, 321.1, 384.1, 390.7, 390).

Mr. McCarther added that staff would review all pending rulemaking packages in light of the recent disapproval decision.

Dr. Dehn requested clarification on whether staff needed input/assistance from the Enforcement Committee to complete the CPEI regulation.

Mr. McCarther responded that staff would notify the committee if their expertise was needed to complete this regulation.

Public Comment for items not on the Agenda

Dr. Ricco Nel requested clarification regarding online CE requirements.

Mr. Walker informed Dr. Nel that the Board cannot discuss this matter and recommended he direct his questions to the Board's staff following the meeting.

Move to agenda item 11- BCE Licensing, Continuing Education (CE) & Public Relations Committee Meeting Update

Jillian Hacker from CCA will continue to compile comments and feedback from CCA Members regarding Arizona's CE requirements and will email that information to Mr. Puleo by the end the month.

Dr. Tays commented that the Texas Board has experienced enforcement issues related to the Pastoral Medicine Association; she provided a handout on FCLB's Providers of Approved Continuing Education (PACE) program and explained that they have qualified people to review CE courses and credential CE providers. She added that the Texas Board's enforcement activity has decreased as a result of the recent changes in the CE requirements, which require 4 hours of ethics, including documentation and review of the Texas Board's rules.

Future Agenda Items
There was none**.**

Hearings Re: Petition for Reinstatement of Revoked License

Administrative Law Judge, Julie Cabos-Owen, presided over and Deputy Attorney General, Malissa Siemantel, appeared on behalf of the people of the State of California on the following hearing:

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A. Michael E. Bystrom

Hearings Re: Petition for Early Termination of Probation and /or Reduction of Penalty

Administrative Law Judge, Heather M. Rowan, presided over and Deputy Attorney General, Malissa Siemantel, appeared on behalf of the people of the State of California on the following hearing:

A. Charles E. Richardson, D.C.

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)
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

Open Session
The Board went back into Open Session.

Adjournment
Dr. Dehn adjourned the meeting at 3:43 p.m.

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(ATTACHMENT A)

Approval By Ratification of Formerly Approved License Applications
January 1, 2017 - March 31, 2017

Name (First, Middle, Last)			Date Issued	DC#
Jaymee	Delima	Damaso	1/4/2017	33772
Danielle	Marie	Chiu Liu	1/12/2017	33773
Julia	Christine	Radwanski	1/12/2017	33774
Wei		Xia	1/12/2017	33775
Gagandeep	Singh	Bal	1/13/2017	33776
Nicole	Cherise	Foster	1/13/2017	33777
Grace	Wadih	Kozal	1/13/2017	33778
Emily	Dodds	Mickle	1/13/2017	33779
Ali		Mousavi	1/13/2017	33780
Di		Wu	1/13/2017	33781
Christopher	Douglas	McLaine	2/3/2017	33782
Fredrick	Lee	Polizo	2/3/2017	33783
Jack	Peter	Fearn	2/8/2017	33784
Cesar		Quintana	2/8/2017	33785
Timothy	Jason	Gudilin	2/9/2017	33786
Mandy	Marlene Jobe	McManis	2/9/2017	33787
Mason	Galen Michael	Morris	2/9/2017	33788
Alexine	Melissa	Stickney	2/9/2017	33789
Yu		Wang	2/9/2017	33790
Duke	James	Austill	2/10/2017	33791
Tanya	Limtiaco	Castro	2/10/2017	33792
Amy	Catherine	Pohle	2/10/2017	33793
Jeremy	Paul	Ahrendt	2/22/2017	33794
Alicia	Mercedes	Alvarenga	2/22/2017	33795
Nicholas	Anthony	Deliberato	2/22/2017	33796
Steven	S	Bordunov	2/27/2017	33797
Austin	Taro	Quon	2/27/2017	33798
Dawn	Anne	Runge	2/27/2017	33799
Stephen	Michael	Stylianides	2/27/2017	33800
Tara	Marie	Anguiano	2/27/2017	33801
Lucas	Kasen	Hayes	2/27/2017	33802
Kelly		Ostler	2/27/2017	33803
Heidi	Mei-Ting	Chang	3/8/2017	33804
Tony		Ly	3/8/2017	33805
Andrea	Kathleen	Ormonde	3/8/2017	33806

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Casey	Alexandra	Wisniewski	3/8/2017	33807
Nabeel		Fargo	3/9/2017	33808
Paula	Michelle	Hardy	3/9/2017	33809
Jordan	Gilbert	Perona	3/9/2017	33810
Derek		St Thomas	3/9/2017	33811
Kristin	Lee	Wimp	3/9/2017	33812
Fabiana		Goncalves	3/10/2017	33813
Jane	Hyun	Kim	3/10/2017	33814
Eli		Navarrete	3/10/2017	33815
Ryan	Lee	Silbernick	3/10/2017	33816
Courtney	Elyce	Wilson	3/10/2017	33817
Boris		Cicak	3/15/2017	33818
Trevor	King	Crossley	3/15/2017	33819
Nadia	Riadh	Fakhoury	3/15/2017	33820
Joon Myung		Kim	3/15/2017	33821
Brittni	Lee	Melnychuk	3/15/2017	33822
Mikhael	Alexander	Shifrin	3/15/2017	33823
Benjamin	Gordon	Benulis	3/16/2017	33824
Nicole	Casse	Platte	3/16/2017	33825
Tyler	Bates	Poland	3/16/2017	33826
Ryan	Glenn	Cason	3/16/2017	33827
Jason		Nguyen	3/17/2017	33828
Marisa	Alysha	Sum	3/17/2017	33829
Michael	Joseph	Dardano	3/21/2017	33830
Marina		Nikiforova	3/21/2017	33831
Tanin		Khademi	3/22/2017	33832
Sara	Diane	McHardy	3/22/2017	33833
Michael	Thomas	Fanning	3/28/2017	33834
Joshua	Lynn	Marcus	3/28/2017	33835
Tanya	Amelie	Simard	3/28/2017	33836
Ryan	David	Braverman	3/28/2017	33837
Anna	Bianca	Hernandez	3/29/2017	33838
Erick	Rene	Perez Montiel	3/29/2017	33839
Kathleen	Ann	Rooney	3/29/2017	33840
Joseph	Donald	Dietrich	3/30/2017	33841
Edward	Emiliano	Espinoza Jr.	3/30/2017	33842
Kendra	Colleen	Glendenning	3/30/2017	33843
Mohamed	Elsayed	Hassanin	3/30/2017	33844
Ranvir	Singh	Sahota	3/30/2017	33845
Shanelle	Nicole	Furner	3/30/2017	33846

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(ATTACHMENT B)

Ratification for New Continuing Education Providers

CONTINUING EDUCATION PROVIDERS		DATE APPROVED
1.	Koh Education, DC	05/16/17
2.	Curtis Turchin, DC	05/16/17
3.	Mohsen Khamessipour	05/16/17
4.	Greg Melvin, DC	05/16/17
5.	Total Health Center	05/16/17
6.	Center for Pain & Stress Research	05/16/17
7.	California College of Natural Medicine	05/16/17
8.	Chiro Hours	05/16/17
9.	CHIROJAM.COM	05/16/17
10.	Curtis Martin, DC	05/16/17
11.	Smart Tools	05/16/17

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BOARD OF CHIROPRACTIC EXAMINERS
TELECONFERENCE PUBLIC SESSION MINUTES

901 P Street, Suite 142A
Sacramento, CA 95814
June 14, 2017

Teleconference Meeting Locations:

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

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

Julie Elginer, DrPH
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) 876-6300

Frank Ruffino
Rancho San Diego Branch Library
11555 Via Rancho San Diego
El Cajon, CA 92019
(619) 660-5370

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
Linda Shaw, Assistant 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. Dehn called the meeting to order at 12:05 p.m.

DRAFT

Roll Call
Dr. Azzolino called the roll. A quorum was established.

Review, Discuss and Possible Action to Adopt or Amend Rulemaking: Title 16, CCR Sections 321 & 364- Application for Licensure

Mr. McCarther inquired if the Board Members had reviewed the disapproval of regulation decision document from Office of Administrative Law (OAL). Additionally, he referred to the memo, which summarized their concerns. Lastly, he explained the changes to the language would be non-substantive.

Dr. Dehn requested clarification on page two of the language and brought to the Boards attention that previous discussion had taken place in regards to the number of hours of the National Board of Chiropractic Examiners and that the hours would be changed in the Continuing Education (CE) regulation. Additionally, she noted changes to be made to the" Application for a License to Practice Chiropractic" on page three on the numbering from "13" to "12". Lastly, on page 11 of the Initial Statement of Reasons regarding the CCR Section 364 (g) she shared concerns about the language being so specific about the types of Subject Matter Experts. She thought the language should be more general.

Mr. Puleo explained that the proposed changes Dr. Dehn is referring to would be substantive and beyond the concerns raised by OAL. He therefore recommended that they be addressed in a future CE rulemaking package.

Dr. Elginer inquired whether the Board's staff reviewed other Boards language to use for initial statement of reasons.

Mr. McCarther responded that he reviewed other Boards language and that OAL concerns were more technical and with the changes made, a 15-day comment period would be sufficient. Further, he shared that he felt that staff had addressed OAL's concerns.

Dr. Lichtman noted changes to the revision dates on the "Application for a License to Practice Chiropractic" pages to reflect 6/17.

MOTION: DR.AZZOLINO MOVED TO APPROVE THE MODIFICATIONS TO THE DOCUMENTS CONTAINED WITHIN THE RULEMAKING PACKAGE LANGUAGE RELATED TO CCR SECTION 321 & 364; DIRECT STAFF TO NOTICE FOR A 15-DAY PUBLIC COMMENT PERIOD;DELEGATE AUTHORITY TO THE EXECUTIVE OFFICER TO MAKE ANY NON-SUBSTANTIVE CHANGES AND TO TAKE ALL STEPS NECESSARY TO COMPLETE THE RULEMAKING PROCESS
SECOND: MR.RUFFINO SECONDED THE MOTION
VOTE: 7-0 (DR. AZZOLINO-AYE, DR. DEHN-AYE, 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
None

Adjournment
Dr. Dehn adjourned the meeting at 12:20 p.m.

DRAFT

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Agenda Item 5
July 25, 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

- There have been no changes since the last board meeting in May, all positions are filled.

B. Budget

- The Executive Officer will provide an overview of the attached Board fund condition for fiscal years 2015-2018.

C. Licensing

- As of June 30, 2017 (FY 2016/17):
  - Total Licensee Population: 13,191

D. Enforcement

- As of June 30, 2017 (FY 2016/17):
  - Complaints Received: 490

Recommendation(s)
N/A

Next Step
N/A

Attachment(s)
- Org Chart/ Staff Functions
- Updated Fund Condition
- Licensing Statistics
- Enforcement Statistics

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

BOARD MEMBERS (7)

FY: 2016-17
Authorized Positions: 19
CURRENT

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

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

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

ENFORCEMENT

Compliance Unit

Lavella Matthews
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

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

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

Estralita Jennings
Office Technician (T)
620-110-1139-008

Alyssa Vasquez
Office Technician (T)
620-110-1139-009

Licensing/Continuing Education

Genie Mitsuhara
Staff Services Analyst
620-110-5157 -005

Executive Officer _____

Personnel Office _____

All positions are designated CORI

Rev. 10/31/16

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.

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

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.

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

NOTICE OF BOARD MEETING

Southern California University of Health Sciences
16200 E Amber Valley Drive, Legacy Hall
Whittier, CA 90604
July 25, 2017
(562) 947-8755
9:30 a.m.

The Board of Chiropractic Examiners (Board) plans to webcast this meeting at https://thedcapage.wordpress.com/webcasts/.
Webcast availability cannot, however be guaranteed due to limitations on resources or other technical difficulties that may arise. If you wish to participate or to have a guaranteed opportunity to observe, please attend at the location specified above.

AGENDA

1. **Open Session –** Call to Order & Establishment of a Quorum
   Heather Dehn, D.C., Chair
   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**
   Update on the Chair's Activities and Board's accomplishments and/or goals

4. **Approval of Minutes**
   a. May 16, 2017
   b. June 14, 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

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. **Occupational Analysis Presentation by Heidi Lincer-Hill, Chief Office of Professional Examination Services**

10. **The Pastoral Medical Association (PMA) Presentation by Peter Jenkins, President of LawPartnering Inc.**

11. **Update on Government Affairs & Public Affairs Committee Meeting; Potential Board Action**
    Board may take action on any item on the attached Government Affairs Committee meeting agenda.

12. **Update on Enforcement Committee Meeting; Potential Board Action**
    Board may take action on any item on the attached Enforcement Committee meeting agenda.

13. **Update and Discussion on Pending Rulemaking:**
    a. Application for Licensure (CCR Section 321)
    b. Consumer Protection Enforcement Initiative (CPEI)
    c. Uniform Standards for Substance Abusing Licensees
    d. Revisions to BCE Disciplinary Guidelines
    e. Mandatory Cardiopulmonary Resuscitation (CPR) Certification for all licensees
    f. Comprehensive Revisions/Updates to CCR Article 4 (Sections 330 – 331.16) – Approved Schools & Qualifications of Applicants (Curriculum Requirements)
    g. Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity of Licensee
    h. Continuing Education Requirements (CE Provider and Course Approval)
    i. Amend or Repeal CCR Section 354- Successful Examination (Obsolete provision)

14. **Review, Discussion, and Possible Action to Adopt or Amend Rulemaking: Title 16, CCR Sections 321 & 364 (Application for Licensure and CE Requirements)**

15. **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.

16. **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.]

17. **Hearings Re: Petition for Early Termination of Probation and /or Reduction of Penalty**
    a. Sharon Brown, D.C. Case No. SI 2014-1002
    b. Kerry Woods, D.C. Case No. AC 2013-979

18. **Closed Session**
    The Board will meet in Closed Session to:

a. Deliberate on Disciplinary Decisions and the Above 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

19. OPEN SESSION: Announcements Regarding Closed Session

20. 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.

0152 - Board of Chiropractic Examiners
Analysis of Fund Condition

Updated
6/27/2017

(Dollars in Thousands)

2017 Budget Act	Actual 2015-16	CY 2016-17	BY 2017-18
BEGINNING BALANCE	$ 3,426	$ 2,279	$ 1,544
Prior Year Adjustment	$ 12	$ -	$ -
Adjusted Beginning Balance	$ 3,438	$ 2,279	$ 1,544
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 1110-403, Budget Act of 2014	$ -1,250	$ -	$ -
Totals, Revenues and Transfers	$ 2,210	$ 3,456	$ 3,362
Totals, Resources	$ 5,648	$ 5,735	$ 4,906
EXPENDITURES			
Disbursements:			
1110 Program Expenditures (State Operations)	$ 3,357	$ -	$ -
1111 Program Expenditures (State Operations)	$ -	$ 4,001	$ 4,098
8880 Financial Information System for CA (State Operations)	$ 12	$ 5	$ 6
9900 Statewide General Administrative Expenditures (Pro Rata)	$ -	$ 185	$ 240
Total Disbursements	$ 3,369	$ 4,191	$ 4,344
FUND BALANCE			
Reserve for economic uncertainties	$ 2,279	$ 1,544	$ 562
Months in Reserve	6.5	4.3	1.6

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

Total Number of Active Chiropractic Licenses Per Fiscal Year

Fiscal Year	Total Licenses
2007/2008	13,816
2008/2009	13,812
2009/2010	13,901
2010/2011	13,810
2011/2012	13,504
2012/2013	13,427
2013/2014	13,402
2014/2015	13,337
2015/2016	13,262
2016/2017	

Number of Cancelled Licenses Per Fiscal Year

Fiscal Year	Number of Cancellations
2007/2008	281
2008/2009	513
2009/2010	283
2010/2011	278
2011/2012	379
2012/2013	323
2013/2014	484
2014/2015	498
2015-2016	372
2016/2017	345

Cancelled is defined as a license that has been expired for a period of three (3) consecutive years.

Number of Restored Cancelled Licenses Per Fiscal Year

Fiscal Year	Licenses Restored
2009/2010	33
2010/2011	26
2011/2012	33
2012/2013	34
2013/2014	35
2014/2015	37
2015/2016	37
2016/2017	36

New Chiropractic Licenses Issued Per Fiscal Year

Fiscal Year	Applications Received	Licenses Issued
2009/2010	432	424
2010/2011	370	322
2011/2012	338	317
2012/2013	358	319
2013/2014	352	320
2014/2015	362	337
2015/2016	253	232
2016/2017	358	318

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
January	13,179
February	13,167
March	13,181
April	13,166
May	13,172
June	13,191

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
January	61	10
February	17	22
March	32	43
April	39	27
May	51	33
June	21	55

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
January	3	4
February	1	2
March	3	4
April	5	3
May	7	2
June	5	7

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
January	117	83
February	131	92
March	119	150
April	103	122
May	90	99
June	125	131

Corporation Registrations Issued

Month	Received	Issued
July	5	5
August	8	9
September	17	10
October	9	12
November	5	5
December	14	5
January	8	9
February	9	4
March	10	14
April	11	11
May	10	5
June	8	11

Licensing Population as of June 30, 2017

License Type	Clear Licenses
Chiropractors	13,191
Satellite Offices	4,040
Corporation Registrations	1,415

Applications Received and Processed – July 1, 2016 through June 30, 2017

Application Type	Received	Issued	Denied	Pending
Initial Chiropractic	358	318	3	119
Reciprocal	6	1	0	5
Restorations (Cancelled & Forfeiture)	140	129	4	7
Corporation	114	100	3	17

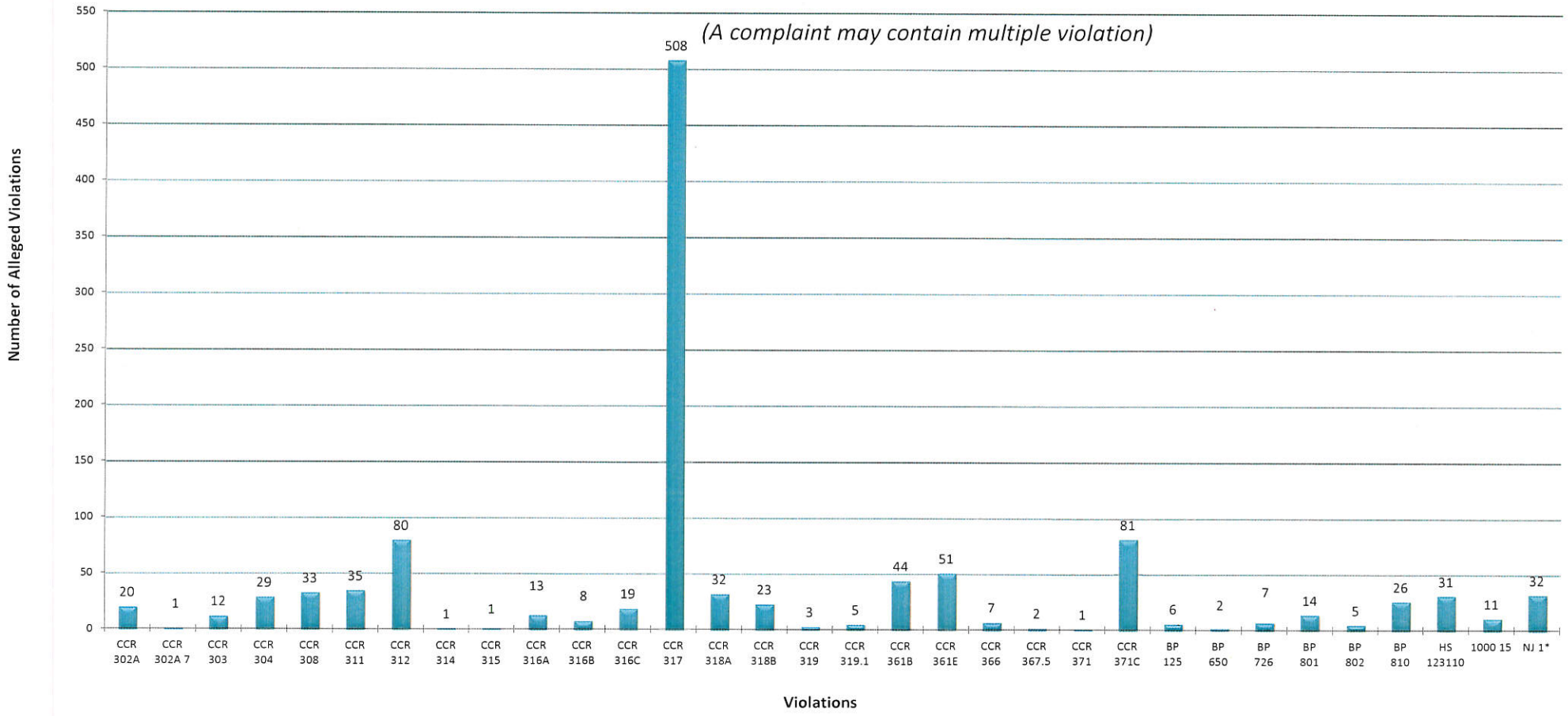
COMPLIANCE UNIT STATS

Fiscal Year	12/13	13/14	14/15	15/16	*16/17
COMPLAINTS					
Received	386	487	557	581	490
Pending	159	214	270	232	183
Closed with Insufficient Evidence	57	88	57	127	79
Closed with No Violation	84	140	100	97	75
Closed with Merit	95	148	220	235	184
Letter of Admonishment	2	5	3	4	4
Citations and Fines Issued (Total Fine Amount)	33($19,400)	26($18,500)	16($12,400)	17($11,600)	26($36,900)
ACCUSATIONS					
Filed	34	38	22	31	35
Pending	73	56	64	66	65
Revoked	11	12	9	3	10
Revocation Stayed: Probation	31	15	7	13	11
Revocation Stayed: Suspension and Probation	5	4	2	4	5
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	14
Dismissed/Withdrawn	9	3	3	2	6
STATEMENT OF ISSUES					
Filed	1	5	2	0	1
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
PETITION FOR RECONSIDERATION					
Filed	4	3	0	1	0
Granted	0	0	0	0	0
Denied	2	2	0	1	
PETITION FOR REINSTATEMENT OF LICENSE					
Filed	6	5	8	7	6
Granted	2	1	1	0	0
Denied	5	3	4	7	3
PETITION FOR EARLY TERMINATION OF PROBATION					
Filed	6	11	4	8	3
Granted	1	0	0	1	0
Denied	1	3	5	2	2
PETITION FOR MODIFICATION OF PROBATION					
Filed	0	3	2	3	0
Granted	0	0	1	1	0
Denied	0	1	1	0	0
PETITION BY BOARD TO REVOKE PROBATION					
File	2	11	5	8	5
Revoked	3	5	2	3	10
PROBATION CASES					
Active	139	135	123	104	92

**FY 16/17: July 1, 2016 – June 30, 2017*

Revised July 10, 2017

Fiscal Year 2016/2017
July 1, 2016 - June 30, 2017
Total Number of Complaints Opened - 490
Total Number of Alleged Violations - 1143



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):

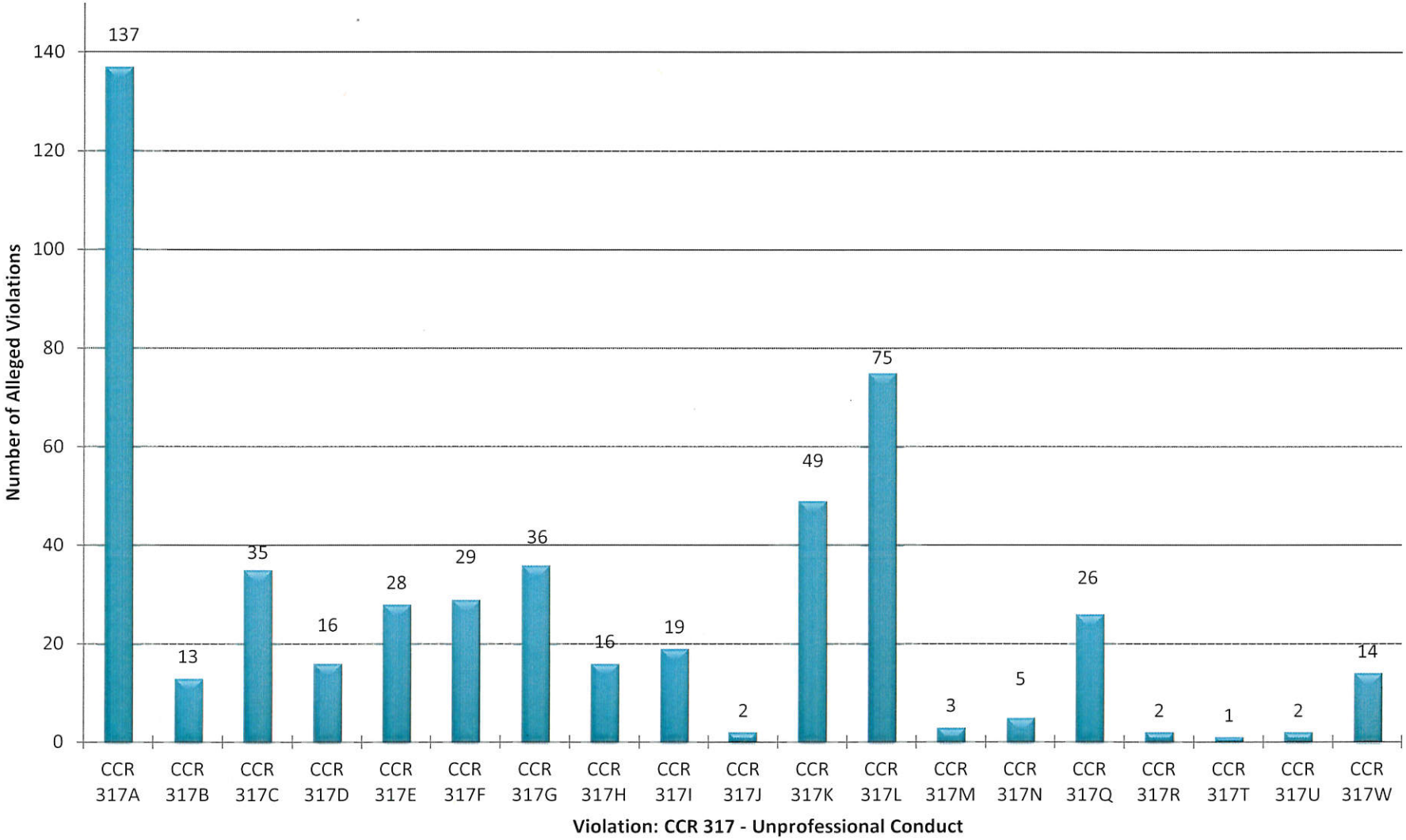
123110 – Patient Access to Health Records

Fiscal Year 2016/2017

July 1, 2016 - June 30, 2017

Number of Complaints Opened Alleging Violation of CCR 317= 508

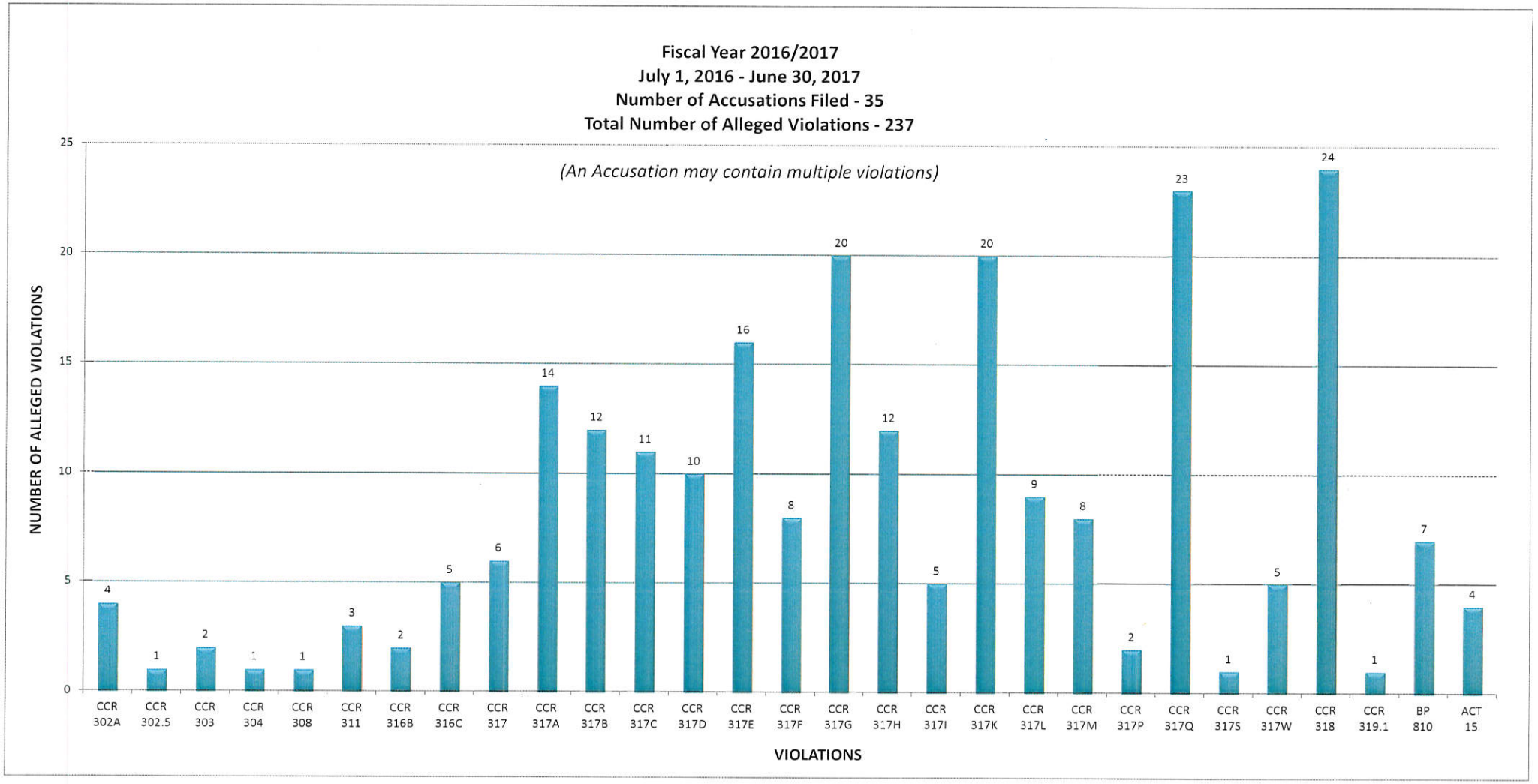
(A complaint may contain multiple violations)



Unprofessional Conduct/Violation Codes/Descriptions

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

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


Fiscal Year 2016/2017
July 1, 2016 - June 30, 2017
Number of Accusations Filed - 35
Total Number of Alleged Violations - 237
(An Accusation may contain multiple violations)
NUMBER OF ALLEGED VIOLATIONS
0
5
10
15
20
25
4
1
2
1
1
3
2
5
6
14
12
11
10
16
8
20
12
5
20
9
8
2
23
1
5
24
1
7
4
CCR 302A
CCR 302.5
CCR 303
CCR 304
CCR 308
CCR 311
CCR 316B
CCR 316C
CCR 317
CCR 317A
CCR 317B
CCR 317C
CCR 317D
CCR 317E
CCR 317F
CCR 317G
CCR 317H
CCR 317I
CCR 317K
CCR 317L
CCR 317M
CCR 317P
CCR 317Q
CCR 317S
CCR 317W
CCR 318
CCR 319.1
BP 810
ACT 15
VIOLATIONS