

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Board Meeting  
August 31, 2006

A meeting of the Georgia Board of Chiropractic was held on Thursday, August 31, 2006, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

<b>The following Board members were present:</b>	<b>Others Present:</b>
Karen Mathiak, D.C., President J. Chris Nelson, D.C. Jackson C. Patterson, D. C. Patrick J. Sallarulo, D. C. David A. Wren, D.C.	Ajay Gohil, Board Attorney Anita O. Martin, Executive Director Eva Holmes, Board Secretary Steven Mitchell, Life University

**Karen Mathiak established** that a quorum was present and the public meeting was **called to order** at 9:15a.m. As no verbal or written comments were received, Dr. Patterson motioned, Dr. Nelson seconded and the public hearing was adjourned.

**Karen Mathiak established** that a quorum was present and the meeting was **called to order** at 9:20am.

**Consideration of Board Rule 100-2-.09: Reinstatement of License** – Dr. Sallarulo motioned, Dr. Patterson seconded and the Board voted to **adopt**.

**100-2-.09 Reinstatement of Expired Licenses.**

(1) A minimum of two (2) years shall pass from the date of any revocation of a license before the Board will consider an application for reinstatement. If the Board denies any application for reinstatement, the Board may require that a minimum of two (2) years pass from the date of the denial before the Board will consider subsequent applications for reinstatement. This rule shall only apply in those instances which the license in question was revoked for reasons other than failure to renew.

(2) For purposes of this regulation, the administrative revocation of a license for failure to renew shall not be treated as a disciplinary action or contested case.

(3) In order to reinstate a license to practice chiropractic, an applicant must complete an application and pay a reinstatement fee. The applicant must submit a detailed resume of such licensee's chiropractic experience since the date said license was last renewed and in good standing.

(4) If the chiropractor has been practicing outside of Georgia, the Board must receive a statement from a recognized licensing jurisdiction regarding the state of licensure in such locale.

(5) The applicant must demonstrate to the satisfaction of the Board that he or she has maintained current knowledge, skill and proficiency in the practice of chiropractic and that he or she is mentally and physically able to practice with reasonable skill and safety.

(6) The Board may require the passage of an examination, such as the Special Purposes Examination for Chiropractic administered by the National Board of Chiropractic Examiners or other assessments as designated and approved by the Board.

(7) Reinstatement of a license is at the Board's discretion. The Board may deny reinstatement but the applicant shall be entitled to an appearance before the Board.

O.C.G.A. §§ 43-9-6.1(1), 43-9-6.1(2), 43-9-12(g), 43-9-15, 43-1-19, and 43-1-25.

The Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

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The board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Chiropractic Examiners.

**Review and approval of minutes from June 22, 2006 meeting.** – Dr. Wren made a motion, Dr. Sallarulo seconded and the Board voted to **approve**.

**Review and approval of minutes from June 29, 2006 conference call meeting.** – Dr. Sallarulo motioned, Dr. Wren seconded and the Board voted to **approve** the minutes as amended.

**Default on repayment of Student Loan for Jeffrey Strickland, D.C.** – Dr. Wren moved, Dr. Nelson seconded and the Board voted to **suspend** Jeffrey Strickland’s license to practice as a/an Chiropractor, License No. CHIR005020, for failure to repay a student loan, and further move that this suspension will cease upon receipt by the Joint Secretary of a “Notice of Release” from the Georgia Higher Education Assistance Corporation.

**Correspondence from Dr. Lee Dinoff requesting to have record expunged.** - Dr. Sallarulo motioned, Dr. Patterson seconded and the Board voted to **expunge** record (docket #93-315).

**Correspondence from Dr. Krohne regarding a December 2005 seminar.** - Dr. Wren motioned, Dr. Nelson seconded and the Board voted to notify Dr. Krohne that the Board is sending a letter of concern to Dr. Guy Annuziato about his seminars not being within the scope of practice in Georgia. Also, the board considers the other issues identified in his letter to be resolved and no action will be taken.

**LICENSES TO RATIFY.**

Dr. Sallarulo made the motion and Dr. Patterson seconded and the Board voted to **approve**.

License #	Name	Profession	Status	Issue Date
CHIR008029	Kachinsky, Jill Lynn	Chiropractor	Active	6/6/2006
CHIR008030	Darling, Angela Corinne	Chiropractor	Active	6/6/2006
CHIR008031	Flook, Seth Alexander	Chiropractor	Active	6/9/2006
CHIR008032	Fong, Kristie E	Chiropractor	Active	6/13/2006
CHIR008033	Faller, Christine M	Chiropractor	Active	6/15/2006
CHIR008034	Samuel, Paul McKenna	Chiropractor	Active	6/27/2006
CHIR008035	Isner, Matthew O.	Chiropractor	Active	6/28/2006
CHIR008036	Goins, Rickey L.	Chiropractor	Active	7/12/2006
CHIR008037	Goldenberg, Lee R.	Chiropractor	Active	7/12/2006
CHIR008038	Jackson, Brice Springer	Chiropractor	Active	7/12/2006
CHIR008039	Kelly, Michael Taylor	Chiropractor	Active	7/12/2006
CHIR008040	Roberts, Daniel Victor	Chiropractor	Active	7/13/2006
CHIR008041	Whipple, Shelly M.	Chiropractor	Active	7/13/2006
CHIR008042	Wiskind, Jared T	Chiropractor	Active	7/13/2006
CHIR008043	Hewett-McNeil, Malissia Fredericka	Chiropractor	Active	7/13/2006
CHIR008044	Nasir, Faheem	Chiropractor	Active	7/14/2006
CHIR008045	Jean, Young Soo	Chiropractor	Active	7/17/2006

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CHIR008046	Key, Jared Matthew	Chiropractor	Active	7/18/2006
CHIR008047	Pavlovic, Debra Jean	Chiropractor	Active	7/18/2006
CHIR008048	Place, Melissa K	Chiropractor	Active	7/20/2006
CHIR008049	Lewis, Dana Natasha	Chiropractor	Active	7/20/2006
CHIR008050	Steiner, Liliana Lewis	Chiropractor	Active	7/24/2006
CHIR008051	Malucci, Jeffrey Michael	Chiropractor	Active	7/25/2006
CHIR008052	Vander Yacht, Helle Serup	Chiropractor	Active	7/25/2006
CHIR008053	Galperin, Jamie Marie	Chiropractor	Active	7/25/2006
CHIR008054	Arisman, Glen Allen	Chiropractor	Active	7/25/2006
CHIR008055	Arnett, Donna Marie	Chiropractor	Active	7/25/2006
CHIR008056	Dutton, Michael Raymond, II	Chiropractor	Active	7/25/2006
CHIR008057	Kahin, Khadra	Chiropractor	Active	7/25/2006
CHIR008058	Mahyar, Alireza A	Chiropractor	Active	7/25/2006
CHIR008059	Shimer, Wendy Michelle	Chiropractor	Active	7/25/2006
CHIR008060	Heflin, Debora L.	Chiropractor	Active	7/25/2006
CHIR008061	Ridgeway, JeNeen Marie	Chiropractor	Active	7/25/2006
CHIR008062	Carlson, Jeremiah Wesley	Chiropractor	Active	7/28/2006
CHIR008063	Tallman, Louise Watkins	Chiropractor	Active	7/31/2006
CHIR008064	Hourin, Thomas R.	Chiropractor	Active	8/1/2006
CHIR008065	LeCroy, Charles D	Chiropractor	Active	8/1/2006
CHIR008066	McRae, Kenneth Lennell	Chiropractor	Active	8/2/2006
CHIR008067	P Simer, Nancy Ann	Chiropractor	Active	8/4/2006
CHIR008068	Solomon, Ronald R	Chiropractor	Active	8/7/2006
CHIR008069	Solomon, Karen Hively	Chiropractor	Active	8/7/2006

**Memo from PT Board pertaining to 2006 Advanced Chiropractic Assistant Training Course** – Dr. Sallarulo motioned, Dr. Patterson seconded and the Board voted to notify Physical Therapy Board that the response/stance of the GCA is considered to be appropriate.

**Correspondence from Dr. Tom Prundes regarding an insurance claim** – Dr. Wren motioned, Dr. Nelson seconded and the Board voted to notify Dr. Prundes that the Board considers these services to be within the scope of practice of chiropractic pursuant to O.C.G.A. § 43-9-16. The Board also requested that a copy of the letter be sent to Liberty Mutual Insurance Company.

**Correspondence from the FCLB regarding Dr. Mathiak's in the 80<sup>th</sup> Annual Congress.**  
*Board response:* Viewed as informational.

**Correspondence from the NBCE requesting participation at the November 2006 Part IV exam administration.** *Board response:* Dr. Sallarulo and Dr. Mathiak will participate.

**Correspondence from Dr. Timothy Price requesting approval of CE plan for consent order.** – Dr. Patterson motioned, Dr. Wren seconded and the Board voted to **approve** request.

**Other Business**

Dr. Sallarulo motioned and Dr. Nelson seconded and the board voted to request that the unofficial opinion provided by Attorney General Thurbert Baker concerning MRI's will be issued as an official opinion.

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**Correspondence from Dr. Millman requesting approval of programs and CE program providers.** Dr. Wren motioned, Dr. Patterson seconded and the Board voted to notify Dr. Millman that the Board does not approve programs and CE program providers must be approved as outline in Board rule 10-5-.02 (2).

**Correspondence from Dr. Golden requesting approval of programs and CE program providers.** Dr. Wren motioned, Dr. Patterson seconded and the Board voted to notify Dr. Millman that the Board does not approve programs and CE program providers must be approved as outline in Board rule 10-5-.02 (2).

**Executive Director's Report – Ms. Anita Martin**

1. The 2007 calendar was submitted. Dr. Wren motioned, Dr. Nelson seconded and the Board voted to **approve**.

2. Correspondence from Yvonne Foster regarding the delivery of modalities without a D.C. present. – Dr. Patterson motioned, Dr. Nelson seconded and the Board voted to have the Executive Director respond to Ms. Foster that licensed physicians in Georgia can provide physical therapy services, but cannot delegate those services to an unlicensed person.

Dr. Patterson made a motion, Dr. Nelson seconded and the Board **voted** to enter into **Executive Session** in accordance with O.C.G.A. § 43-1-19(h)(2) and § 43-1-2(k) to deliberate and receive information on applications, cognizant reports, and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Dr. Wren, and Dr. Sallarulo. The Board concluded Executive Session in order to vote on the matters and to continue with the public session.

**Investigative Interviews**

CHIR060114 - B.M., D.C. – recommended to close with LOC

**Appeal Appointments**

B.G., D.C. – recommended approval of license under a private consent order.

**Requests for termination of Probation**

**D.P., D.C.** – recommended approval

**K.P., D.C.** – recommended approval

Dr. Wren made the motion, Dr. Sallarulo seconded and the Board voted to **accept** the recommendations.

**Applications**

**K.K.N. – Approval of credentials evaluation/Applicant requesting approval for licensure** – recommended approval.

**J.M.D. – Applicant requesting approval for licensure** – recommended approval.

**J.M.E. – Applicant requesting approval for licensure** – recommended denial.

**D.J.M. – Applicant requesting approval for licensure** – recommended denial.

**N.C.C. – Applicant requesting approval for licensure** – recommended tabling until receipt of resolution of the issue with the Tennessee Board.

**D.A.F. – Applicant petitioning for acceptance of NJ exam in lieu of the National exam and approval for licensure pending receipt of clean CO Licensure verification** – recommended approval.

**M.E.B. – Applicant requesting approval for licensure** – recommended denial.

**J.L.B. – Applicant requesting approval for licensure** – recommended denial.

**A.G.H. – Applicant requesting approval for licensure** – recommended denial.

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**S.R.M. – Applicant requesting approval for licensure** – recommended approval.

**B.C.J. – Applicant requesting approval for licensure** – recommended approval.

**M.J.F. – Reinstatement applicant** – recommended approval under a public consent order citing the period of unlicensed practice, three years probation, \$1000 fine to be paid within 60 days of effective date of order and take and pass the Ethics & Boundaries exam from FCLB within one years of effective date of order.

**B.O. – Reinstatement applicant** – recommended approval under a public consent order citing the period of unlicensed practice, three years probation, \$1000 fine to be paid within 60 days of effective date of order and take and pass the Ethics & Boundaries exam from FCLB within one years of effective date of order.

Dr. Patterson made the motion, Dr. Wren seconded and the Board voted to **accept** the recommendations.

**Cognizant Reports**

**CHIR01100086** – recommend to close with acceptance of private consent order.

**CHIR050086** – recommend to close – no violation

**CHIR060008** – recommend to close – no violation

**CHIR060037** – recommend to schedule for investigative interview

**CHIR060057** – recommend to close with letter of concern.

**CHIR060069** – recommend public consent order for inappropriate billing, \$500 fine and one year probation.

**CHIR060077** – recommend to schedule for investigative interview.

**CHIR060092** – recommend to schedule for investigative interview.

**CHIR060094** – recommend to close – no violation.

**CHIR060097** – recommend to close – no violation.

**CHIR060098** – recommend scheduling for investigative interview and ask to bring in information about the Spectra Light Laser to interview.

**CHIR060104** – recommend to close with letter of concern.

**CHIR060016** – recommend to give 30 days from receipt of letter to adhere to OMPE with a board approved evaluator and send in proof of such or the Board will move forward with a summary suspension.

**CHIR060118** – recommend public consent order for unlawful solicitation of patients, \$500 fine, one year probation, and take and pass the Ethics & Boundaries course from FCLB within one year of effective date of order.

**CHIR060122** – recommend to close – no violation

**CHIR060123** – recommend to close and refer to Insurance Commissioners Office.

**CHIR070001** – recommend to request 5 patient records from August 2006. After records are received, send to cognizant and schedule investigative interview.

**CHIR070004** – recommend to schedule for investigative interview.

**Vincent Veneziano** - accept voluntary surrender.

**CHIR070006** – recommend to schedule for investigative interview.

**CHIR070007** – recommend to request 5 patient records from August 2006. After records are received, send to cognizant and schedule investigative interview.

**CHIR070013** – recommend to schedule for investigative interview.

Dr. Sallarulo motioned, Dr. Nelson seconded and the Board voted to **accept** the recommendations.

**Executive Director's Report**

- Report given on non-compliance on consent order (failure to send proof of records being sent and will not return information for HIPDB/NPDB reporting) on Elliot Becker, D.C. – board recommended to refer to AG for Notice of Hearing.

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- Letter from Liz Rowan from Progressive Insurance regarding case CHIR060066 – board recommended notifying Ms. Rowan that they uphold their previous decision.
- Discussed consideration of different process/procedure for review of complaints. – recommended to immediately request patient records (all records to include X-Rays and billing records) from subject prior to sending case for cognizant review.

Dr. Sallarulo motioned, Dr. Wren seconded and the Board voted to **accept** the recommendations.

**Attorney General's Report**

- Updated cases in his office

**Legal's Report**

Counter offer from Hugh Stedman on F.G., D.C. – Dr. Sallarulo motioned, Dr. Wren seconded and the Board voted to **deny** the request and refer to Attorney General's Office for Notice of Hearing. Send to enforcement to subpoena an additional ten records from each location between June 2006 and August 2006 for cognizant review.

There being no further business to come before the Board, the meeting was adjourned at 3:00 pm on August 31, 2006.

Minutes prepared by: Eva Holmes, Board Secretary

Reviewed/Edited by: Anita O. Martin, Executive Director

These minutes were approved on October 19, 2006.