

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting
February 15, 2007

A meeting of the Georgia Board of Chiropractic was held on Thursday, February 15, 2007, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:	Others Present:
Karen Mathiak, D.C., President Gregory Baker, D.C. J. Chris Nelson, D.C. Patrick Sallarulo, D. C. David A. Wren, D.C.	Ajay Gohil, Board Attorney Anita O. Martin, Executive Director Samirah Stephens, Board Secretary

Karen Mathiak established that a quorum was present and the public hearing was **called to order** at 9:05am.

Board Rule 100-4-.01, Advertising.- Written and verbal comments were received from Warren Jahn, D.C.

Board Rule 100-10-.01, Reasonable Care and Skill Defined.- No written or verbal comments were received.

The public hearing was adjourned at 9:20am.

Karen Mathiak established that a quorum was present and the meeting was **called to order** at 9:22am.

Consider adoption of Board Rule 100-4-.01, Advertising- Board Response: Refer to the Rules Committee.

Consider adoption of Board Rule 100-10-.01, Reasonable Care and Skill Defined-Dr. Baker made a motion, Dr. Nelson seconded and the Board voted to adopt.

Review and approval of minutes from December 14, 2006 meeting – Dr. Sallarulo made a motion, Dr. Wren seconded and the Board voted to approve.

Review and approval of minutes from January 29, 2007 conference call- Dr. Sallarulo made a motion, Dr. Wren seconded and the Board voted to approve.

LICENSES TO RATIFY.

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

License#	Name	Profession	Status
CHIR008117	Holmes, Woodrow C. Lathan	Chiropractor	Active
CHIR008118	Greenberg, Brett A.	Chiropractor	Active
CHIR008119	Griffis, Randy Allen	Chiropractor	Active
CHIR008120	Blackburn, Robert Alexander	Chiropractor	Active
CHIR008121	Bisby, Douglas Michael	Chiropractor	Active
CHIR008122	Satterwhite, David Allen	Chiropractor	Active
CHIR008123	Meisten, Kenneth W.	Chiropractor	Active
CHIR008124	Burton, Mary Ellen	Chiropractor	Active
CHIR008125	Erickson, Jay Merwin	Chiropractor	Active

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CHIR008126	Pope, Ryan Avery	Chiropractor	Active
CHIR008127	Pruni, Robert Richard	Chiropractor	Active
CHIR008128	Golden, Ronald Clement	Chiropractor	Active
CHIR008129	Fuzi, Brandon S.	Chiropractor	Active
CHIR008130	Drapp, Jennifer Stevens.	Chiropractor	Active
CHIR008131	Moody, O'Hara Lorraine	Chiropractor	Active
CHIR008132	Kirschner, Jeff S.	Chiropractor	Active
CHIR008133	Barney, Thomas Wayne	Chiropractor	Active
CHIR008134	Moeckel, Scott Frederick	Chiropractor	Active
CHIR008135	Reich, Amy Leigh	Chiropractor	Active
CHIR008136	Kelly, Matthew Thomas	Chiropractor	Active
CHIR008137	Sims, Laura Ellen	Chiropractor	Active
CHIR008138	Hyoun, Miok	Chiropractor	Active
CHIR008139	Johnson, Genral Layette	Chiropractor	Active
CHIR008140	Becroft, James Robert	Chiropractor	Active
CHIR008141	Partin, Eric Alonzo	Chiropractor	Active
CHIR008142	Stotter, Aliyah T.	Chiropractor	Active
CHIR008143	Gordon, Wayne Oliver	Chiropractor	Active
CHIR008144	Mannella, Leanne	Chiropractor	Active
CHIR008145	McHenry, Nikki A.	Chiropractor	Active
CHIR008146	Evans, Scott David	Chiropractor	Active
CHIR008147	Valente, Amy Elizabeth	Chiropractor	Active
CHIR008148	Calain, Kenneth Steven	Chiropractor	Active
CHIR008149	Lebder, Dale Joseph	Chiropractor	Active
CHIR008150	Little, Deborah Rowe	Chiropractor	Active

Correspondence from Dr. Nelson regarding State Farm and P.T. referrals – Dr. Baker motioned, Dr. Sallarulo seconded and the Board voted to update the Scope of Practice Position Statement to add:

Pursuant to O.C.G.A. 43-9-12.1 and Board Rule 100-10-.01. Chiropractors are allowed to refer to licensed Healthcare Providers. Therefore, referrals for physical therapy services fall within the scope of practice.

Correspondence from Robert Howard, D.C. regarding the prescribing of T.E.N.S. unit being within the scope of practice.- Dr. Sallarulo motioned, Dr. Nelson seconded and the Board voted to update the Scope of Practice Position Statement to add:

Pursuant to O.C.G.A. 43-9-12.1, Chiropractors are allowed to prescribe TENS units for patients; this practice falls within the scope of practice.

Petition from Major Tallent, D.C. requesting board to waive late renewal fee- Dr. Sallarulo motioned, Dr. Wren seconded and the Board voted to deny the request.

Correspondence from Thomas M. Copelli, D.C. regarding ASH and stricter guidelines for performing radiographic examinations- *Board response:* Viewed as informational. Notify Dr. Copelli that issue is under review by the board.

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Correspondence from NBCE regarding Annual Business Meeting of State Delegates in May 2007- Board response: Dr. Mathiak will be the delegate for the NBCE meeting, Dr. Baker will be the alternate delegate. Dr. Baker will be the delegate for the FCLB meeting, Dr. Mathiak will be the alternate delegate.

Records release correspondence from Donald J. Masten regarding Dr. Herdley D. Harrison- Dr. Sallarulo motioned, Dr. Nelson seconded and the Board voted to deny the request.

The Board met with John Markham, D.C. and Tim Gross, D.C. of Life University concerning the upcoming Clinical P.E.A.K. Program. The Board supports the program. Participating D.C.'s for the program will be approved by the board based upon the criteria already established for "Preceptors" and in compliance with Board Rule 100-8-.01

Compliance Issues –

- Dr. Richard Clayton, D.C. requesting approval of CE coursework. – Dr. Sallarulo motioned, Dr. Wren seconded and the board voted to approve the CE coursework.
- Correspondence from Dr. Clayton Bell, D.C. requesting to terminate probation. - Dr. Baker motioned, Dr. Nelson seconded and the board voted to approve the request.
- Correspondence from Dr. Frederik Gerretzen, D.C. regarding consent order. –Dr. Wren motioned, Dr. Baker seconded and the board voted to approve the records.

Executive Director's Report – Ms. Anita Martin

- Provided renewal numbers 2554 have renewed as of 2/14/07-43 are currently on hold for various reasons.
- Provided information about meeting with SOS Karen Handel & Asst. SOS Rob Simms.
- Informed board about Power Poll being conducted by the FCLB.
- Advised the board that their request of 09/07/06 requesting an official opinion from AG Thurbert Baker had not been processed. Board advised that the request was no longer needed.
- Informed the board that contact had been made via e-mail with Drs. Annunziata & Annunziata that the Trigger Point Seminar in Georgia was not in compliance with the rule and could not be used for CE credit in Georgia.
- Advised board that contact with Pat Thompson concerning IHC had been unsuccessful. No additional action could be taken without Ms. Thompson's cooperation.
- Provided a copy of SB 102 for review by the board. The Board voted to support this legislation as drafted.
- The Board voted to refer the case on E.B., D.C. to the Attorney General's office to send a Voluntary Surrender.

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- Request from Khaled Abouhaif, D.C. to accept SPEC taken outside of timeframe required by consent order docket #2006-0591-Dr. Sallaralo motioned, Dr. Nelson seconded and the board voted to approve.

Rules Committee Report

- Voted to post Board Rules 100-2-.07, 100-5-.02, 100-5-.04, 100-7-.01 and 100-7-.04.
- Voted to adopt updated reinstatement and renewal policies.

Other Business

- Warren Jahn, D.C. and Leanne Cupon, D.C. met with the board to discuss the treatment of patients at Life University clinics and the possible violation of O.C.G.A. §43-9-16 (f). Dr. Nelson motioned, Dr. Wren seconded and the board voted to send this matter to the Board attorney to provide advice. Upon receipt of the advice the board requests that a meeting be scheduled to meet with Dr. Gross at Life University.

Appeal Appointments

B.D.N. – recommended approval of license with a letter of concern regarding DUI conviction.

P.R.O. – recommended approval of renewal under CE renewal policy. Further recommended acceptance upon receipt.

D.K.M. –recommended table and request additional information from attorney Crawley Camp re: the status of the criminal case. Refer case to FBI and Insurance Commissioners Office.

J.S.C.–recommended approval of licensure.

V.R.D.–tabled and request information from Virginia Board regarding status of case and request copies of the police report.

J.S.C.– recommend denial, no show.

L.D.R.–recommended approval and send letter requiring him to take a GA laws and rule CE course within six months of licensure and send in proof of completion.

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

Applications

R.O.H. – **Applicant requesting reinstatement of licensure.**–Tabled, before license can be reinstated. Dr. H. will need to take SPEC and send in proof of such.

T.D.G. – **Applicant requesting approval for licensure.**– Recommended approval of licensure under a consent order which mirrors the South Carolina order except with \$500 fine.

G.S.K. – **Applicant requesting approval for licensure.**– Tabled- Notify applicant that undergraduate transcript must be evaluated by a credentials evaluation. The evaluation must reflect the hours acquired meets the requirement in O.C.G.A. §43-9-7(e).

D.Y.K. – **Applicant requesting approval for licensure.**– Tabled, credentials evaluation received was for the incorrect person. Notify applicant that we must receive correct information from the credentialing service. If suffices to meet criteria as outlined in O.C.G.A. §43-6-7(e), okay to issue.

D.M.H. – **Applicant petitioning Rules waiver and approval for licensure by endorsement.**– Recommended approval.

B.P.R. – **Applicant requesting approval for licensure.** –Recommended approval.

D.J.N. – **Applicant requesting approval for licensure.**–Recommended denial.

T.A.H. – **Applicant requesting reinstatement of licensure.** – Recommended approval.

F.A.G.J. – **Applicant requesting approval for licensure.**– Recommended denial.

C.K.E. – **Applicant requesting approval for licensure.** – Recommended denial.

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N.C.C. – Applicant requesting approval for licensure. – Recommended approval of licensure under a consent order which mirrors the Tennessee order with a \$500 fine.

J.H.C. – Applicant requesting approval for licensure.– Recommended denial.

Renewals

Consideration of renewal of licensure due to delinquent C.E.'s on R.C.Z., D.C.– Renew under CE renewal policy- accept upon receipt.

Consideration of renewal of licensure due to delinquent C.E.'s on A.M.J., D.C.– Renew under CE renewal policy-accept upon receipt.

Consideration of renewal of licensure due to delinquent C.E.'s on S.G.J., D.C. – Renew under CE renewal policy-accept upon receipt.

Consideration of renewal of licensure due to delinquent C.E.'s on A.G., D.C. – Renew under CE renewal policy- accept upon receipt.

Consideration of renewal of licensure due to delinquent C.E.'s on C.D.G., D.C. – Renew under CE renewal policy – accept upon receipt.

Consideration of renewal of licensure due to delinquent C.E.'s on E.S., D.C. – Renew under CE renewal policy- accept upon receipt.

Consideration of renewal of licensure due to arrest on S.H., D.C. – Recommended denial.

Consideration of renewal of licensure due to delinquent C.E.'s on G.H., D.C. – Renew under CE renewal policy – accept upon receipt.

Consideration of renewal of licensure due to delinquent C.E.'s on G.L., D.C. – Renew under CE renewal policy – accept upon receipt.

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

Investigations/Enforcement

CHIR070021 –recommend to close-no violation

CHIR070040 – recommend to refer to Attorney General to offer a voluntary surrender and if she refuses to sign within thirty days pursue an indefinite suspension and a \$10,000 fine. Dr. Baker recused from vote.

CHIR070033 – recommend to close – no violation

CHIR070025 – recommend to close with mitigating circumstances letter. Request copies of all advertising for one year, business cards and stationary within ten working days.

CHIR070010 – recommend to close – no violation

CHIR070041 – recommend to refer to Attorney General for a public consent order, \$2500 fine and 5 years probation for practicing outside of scope of chiropractic and failure to id as D.C., Chiropractor or Doctor of Chiropractor, also refer to the medical board and FBI. Require submission of all advertising for one year.

CHIR070011 – recommend to refer to Attorney General for a public consent order, \$6000 fine, five additional hours of continuing education in Georgia laws/rules, 5 years probation, 3 months suspension stayed for practicing outside the scope of chiropractic and fraudulent advertising, also refer to the medical board and FBI. Require submission of advertising for one year.

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CHIRO70037 – recommend to close with a mitigating circumstances letter. Upon proof of refund to patient of \$2360, board will consider closing this matter and lifting probation.

CHIRO70030 – recommend to close-no violation.

CHIRO70015 – recommend to close with a mitigating circumstances letter. Upon proof of refund to patient of \$300, board will consider closing this matter.

CHIRO70060 – recommend to send to Attorney General’s office for amended consent order and \$500 fine.

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

Attorney General’s Report- Mr. Gohil recommended that the board accept the consent order on Kimberly Vaccaro, D.C.

Dr. Wren motioned, Dr. Baker seconded and the Board voted to **accept** the recommendation.

There being no further business to come before the Board, the meeting was adjourned at 6:45 pm on February 15, 2007.

Minutes prepared by: Samirah Stephens, Board Secretary

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

These minutes were approved on April 26, 2007.