

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Board Meeting

June 19, 2008

A meeting of the Georgia Board of Chiropractic was held on Thursday, June 19, 2008, at Life University, 1269 Barclay Circle, Marietta, 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.	Graham Barron, Board Attorney Anita O. Martin, Executive Director Samirah Stephens, Board Secretary Vincent Erario, D.C.

Dr. Guy Riekeman, President of Life University addressed the board prior to the Board meeting.

Karen Mathiak established that a quorum was present and the meeting was **called to order** at 10:02 am.

LICENSES TO RATIFY.

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

License #	Name	Profession	Status
CHIR008339	Svane, Ulla Margrethe	Chiropractor	Active
CHIR008340	Mariano, Justin	Chiropractor	Active
CHIR008341	Schoeller, Jeffrey Ryan	Chiropractor	Active
CHIR008342	Nordeen, Brian Patrick	Chiropractor	Active
CHIR008343	Withrow, James Aaron	Chiropractor	Active
CHIR008344	Brannan, David Timothy	Chiropractor	Active
CHIR008345	Holmes, Candace Naomi	Chiropractor	Active
CHIR008346	Smith, Kristin Nuccio	Chiropractor	Active
CHIR008347	Mayfield, Robert Ellis Jr.	Chiropractor	Active
CHIR008348	Bailey, Jeffrey Harold	Chiropractor	Active
CHIR008349	Turcott, Jennifer Marie	Chiropractor	Active
CHIR008350	Willuweit, Clint Jordan	Chiropractor	Active
CHIR008351	Bunn, Christopher John	Chiropractor	Active
CHIR008352	Sistare, Marcellina R.	Chiropractor	Active
CHIR008353	Register, Kyle Evans	Chiropractor	Active
CHIR008354	Stewart Lee, Zoila Rosa	Chiropractor	Active
CHIR008355	Huynh, Christopher Tung	Chiropractor	Active
CHIR008356	Blair, Monica D.	Chiropractor	Active
CHIR008357	Sigh, Edward Ray	Chiropractor	Active
CHIR007574	Scott IV, John G.	Chiropractor	Active
CHIR006248	Brown, Gina I.	Chiropractor	Active
CHIR006333	Bahhur, Jamal T.	Chiropractor	Active
CHIR007433	Forese, Joseph R.	Chiropractor	Active

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Review and approval of minutes from April 17, 2008 board meeting.-Dr. Sallarulo made a motion, Dr. Baker seconded and the Board voted to approve.

Correspondence from Cynthia LoGatto regarding the practice of Homeopathic Medicine.- *Board response:* Notify Cynthia Logatto that Homeopathic Medicine is not within the scope of Chiropractic.

Correspondence from Vincent DePeri regarding Chiropractic Marketing. *Board response:* Send No Legal Letter and notify Vincent DePeri that he cannot refer to himself as a doctor because he is not licensed in Georgia.

Correspondence from David J. Nudelman, D.C. requesting that the board expunge his consent order.- *Board response:* Notify Dr. Nudelman that the board does not have the legal authority to expunge this information from his license record.

Correspondence from Stacy Spagnardi requesting that her lapsed license be placed on inactive status.-*Board response:* Notify Ms. Spagnardi that the board cannot find any record of the 2003 request and that she must reinstate her license before she can place it in an inactive status.

Compliance Issues –

- **Dr. Robert Hal Waterstone, D.C. requesting to terminate probation.**- Dr. Sallarulo made a motion, Dr. Nelson seconded and the board voted to approve.
- **Dr. T.H.N., D.C. requesting to terminate probation.**- Dr. Nelson made a motion, Dr. Baker seconded and the board voted to approve.

Rules Committee Report – David Wren, D.C.

- **Recommendation to post Board Rule 100-5-.02, Approval of Educational Programs.**- Recommendation to approve and post.
- **Recommendation to post Board Rule 100-7-.04, Standards of Practice.**- Recommendation to approve and post as amended.
- **Recommendation to post Position Statement concerning Scope of Practice.**- Recommendation to approve and post to web-site as amended.

Dr. Sallarulo motioned, Dr. Nelson seconded and the Board voted to **accept** the recommendations on the Rules Committee Report.

Executive Director's Report – Ms. Anita Martin

- Announced new consumer member appointment Kathleen Bowen.
- Send no legal letter to Steven Greenberg.
- Provided notes on the ACBA/FCLB meeting.

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- Discussion on selection of PEAK faculty- Dr. John Markham addressed the Board concerning the PEAK faculty selection process- they are querying CIN-BAD when conducting review. Currently 116 are approved D.C.'s working on faculty.
- **Appeal from F.G., D.C.- Board response:** Denial was upheld because applicant did not divulge the board issue on his PEAK application.
- **Appeal from Dr. B.O.- Board response:** Application approved because his board issue was divulged and the board issue was an administrative issue.

Other Business

- Dr. Nelson made a request to add a waiver to Board Rule 100-5-.02, Approval of Educational Programs for board members. The waiver would be for the one (1) hour of continuing education in Georgia Laws and Rules. Dr. Nelson also requested that board members working as an Examiner with the National Board exams be allowed to use that as continuing education hours.

Dr. Wren 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, investigative committee reports, and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Dr. Baker. The Board concluded Executive Session in order to vote on the matters and to continue with the public session.

Appeal Appointment

A.M.K. – recommended reinstatement of licensure under a private consent order citing period of unlicensed practice and require that applicant notify the board of the final disposition of the criminal case. Accept consent order upon receipt.

A.C.V. –recommended approval of licensure under a private consent order requiring applicant to enroll and stay in a recovering professionals group, require on-site continuing education for the first renewal period; no on-line continuing education is allowed. Must pass the SPEC exam within six (6) months of being issued a license. Accept consent order upon receipt.

J.A.R. –recommended approval of licensure

L.H.C. –table application until the board receives complete investigative records from Minnesota and Canada. Require documentation of the professional boundaries course that applicant took in Alabama.

Dr. Baker made a motion, Dr. Nelson seconded and the Board voted to **accept** the recommendation on the appeal appointments.

Applications

R.S.R. – **Applicant, arrest/conviction previously denied by Board in 2004.**-Recommended referral to the Investigative Committee at the July meeting.

R.E.B. – **Reinstatement applicant.**- Recommended approval of reinstatement.

A.R.S. – **Applicant, arrest/conviction.**- Recommended approval of licensure.

W.C.W. – **Applicant, arrest/conviction.**- Recommended approval of licensure.

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K.W.H. – Correspondence from reinstatement applicant requesting an extension on completing the National Board S.P.E.C. examination.- Recommended approval of extension, the Board will allow an additional six (6) months extension.

T.G.G. – Correspondence from applicant regarding accreditation documents- Recommended upholding the denial.

Miscellaneous

M.P.G. – Correspondence received regarding full assessment report from the comprehensive psychiatric and addictive disease evaluation, an agreement not to practice and questions pertaining to completing treatment at a facility not on the recommended facilities list-Recommended approval of Bridges of Hope. The Board found that Bridges of Hope met the criteria for a treatment program. The Board considered information from Talbott Recovery; once the chiropractor meets the criteria of Talbott Recovery for 9-12 months of treatment, licensee can petition the board to lift the practice restriction. Once the petition is received, the Board will require a follow-up evaluation at a Board approved facility and the board will meet with the licensee and the licensee's advocate. If the board allows the licensee to return to practice, the Board will require that licensee enroll in a standard impairment after-care program.

E.Z.W.– Reinstatement/reactivation applicant requesting that board waive fee.- Table request until the board receives information regarding her disability. The Board would also like to see applicant's license and job description from her current job. The Board may require the S.P.E.C. examination before licensee is permitted to return to practice.

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

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Investigative Report

CHIR080063—recommend to refer to the Office of Inspector General to serve a cease and desist order for reading x-rays and practicing chiropractic without a license.

CHIR080031- recommend to close with no violation.

CHIR060034-recommend to close with no violation.

CHIR080043-recommend to refer to the Attorney General's office to review all matters in the criminal case and advise the Investigative Committee.

CHIR070063- recommend to close for insufficient evidence, also request that additional information be submitted, if it was not previously submitted.

CHIR080044-recommend to refer to the Attorney General's office for a Private Agreement not to practice while in treatment. The licensee can petition the board to lift the practice restriction when the treatment facility recommends that he is safe to practice with reasonable skill and safety to the public.

CHIR080014- recommendation to close with no violation.

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

Executive Director's Report- Ms. Anita Martin

- Accept reactivation consent order for Albert Pashman, D.C.

Dr. Sallarulo motioned, Dr. Nelson seconded and the Board voted to **accept** the recommendations on the rules committee report.

Attorney General's Report- Graham Barron

- Updated board on 13 cases currently in his office.
- Counter offer on V.L., D.C.- Dr. Sallarulo made a motion, Dr. Wren seconded and the board voted to deny the counter-offer.
- Counter offer on A.B, D.C.- *Board response*: The request for a private order is denied, but all other sanctions can be negotiated. Send this complaint case to a consultant for review and ask that he complete the case within thirty (30) days.
- Recommendation to close complaint case with a letter of concern on K.K., D.C.
- Counter offer on D.L., D.C.- *Board response*: Consent order can be modified to reflect two (2) years probation, five (5) years on-site continuing education, take and pass Ethics & Boundaries during period of probation.
- OMPE issue on E.B., D.C.-*Board response*: If information concerning evaluation admission has not been received by the close of business on June 20, 2008, a notice of hearing for revocation will be filed.
- Recommendation to close complaint case CHIR030075.
- Recommendation to refer complaint case CHIR0070068 back to the Investigative Committee due to receiving additional information.

Dr. Nelson motioned, Dr. Wren seconded and the Board voted to **accept** the recommendations from the Attorney General's Report.

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There being no further business to come before the Board, the meeting was adjourned at 4:00 pm on June 19, 2008.

Minutes prepared by: Samirah Stephens, Board Secretary

Reviewed/Edited by: Anita Martin, Executive Director

These minutes were approved on August 14, 2008.