

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Board Meeting
October 16, 2008

A meeting of the Georgia Board of Chiropractic was held on Thursday, October 16, 2008, 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. David A. Wren, D.C. Kathleen Bowen	Graham Barron, Board Attorney Anita O. Martin, Executive Director Carol White, Board Secretary Robert L. Alpert, D.C. Paul Powers, D.C.

Karen Mathiak established that a quorum was present and the meeting was **called to order** at 10:05 am.

Correspondence from NBCE regarding Part IV Practical Examination Administration. – Board response: Drs. Karen Mathiak and Greg Baker will attend.

Correspondence from Richard P. Saporito, D.C. regarding Board Rule 100-5-.02. Board response: Paul Powers, D.C. addressed the board concerning Dr. Saporito’s letter to the board. Information is viewed as informational. No Board action was taken concerning this issue. Issue to be referred to rules committee. Staff to assure that Dr. Powers & Dr. Saporito is on the interested parties list. If policy statement is developed instead of a rule – notify Dr. Powers & Dr. Saporito. Notify Drs. Powers, Saporito and the GCA & GCC that from this point forward, the board will not provide an interpretation of the laws and rules.

Correspondence from Kathleen Grace, D.C. requesting that the Board allow her to complete her required continuing education online. Board response: Dr. Wren made a motion, Dr. Baker seconded and the Board voted to approve upon receipt of information from her primary care physician concerning her illness.

Correspondence from Barbara Middleton, D.C. requesting that the Board allow her to complete her required continuing education online. – Board response: Dr. Baker made a motion, Dr. Nelson seconded and the Board voted to approve upon receipt of information from her primary care physician concerning her illness.

Review and approval of minutes from August 14, 2008 board meeting – Board response: Ms. Bowen made a motion, Dr. Baker seconded and the Board voted to approve.

LICENSES TO RATIFY.

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

License #	Name	Profession	Status
CHIR008389	Fuller, Stephen	Chiropractor	Active
CHIR008390	Radin, David Mark	Chiropractor	Active
CHIR008391	Leguizamon, Ararat Mushegan	Chiropractor	Active

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CHIR008392	Kenamer, Allison Jade	Chiropractor	Active
CHIR008393	Shepherd, Jennifer Lynn	Chiropractor	Active
CHIR008394	Sullivan, Stephanie GB	Chiropractor	Active
CHIR008395	Daley, Angelo Saint Claire	Chiropractor	Active
CHIR008396	Rowland, Adam Gabriel	Chiropractor	Active
CHIR008397	Stafford, Jeffrey Brian	Chiropractor	Active
CHIR008398	Wojcik, Christopher Lee	Chiropractor	Active
CHIR008399	Smith, Clark Jeffery	Chiropractor	Active
CHIR008400	Grise, Joseph N	Chiropractor	Active
CHIR008401	Hanscom, Todd Anthony	Chiropractor	Active
CHIR008402	Vance, August Charles	Chiropractor	Active

Correspondence from Loretta Griffin, D.C. requesting that the Board allow her to complete all of her required continuing education online. Board response: Dr. Baker made a motion, Dr. Nelson seconded and the Board voted to approve.

Executive Director’s Report – Ms. Anita Martin

- Discussed the reorganization of the Professional Licensing Board.
- Approved the 2008/2009 Board Meetings calendar with the Board.
- Discussed renewal applications should be mailed within the next few weeks

Other Business

Dr. Wren made a motion, Dr. Baker 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. Nelson, Dr. Mathiak, and Ms. Bowen. The Board concluded Executive Session in order to vote on the matters and to continue with the public session.

Appeal Appointment

M.S.W. – Dr. Wren made a motion, Dr. Baker seconded and the Board voted to accept the recommendation on the appeal appointment.

Applications

G.S.S...- Applicant, arrest/conviction. – Ms. Bowen made a motion, Dr. Nelson seconded and the Board voted to approve.

J.A.W...- Reinstatement applicant, requesting fee waiver and approval. – Dr. Wren made a motion, Dr. Baker seconded and the Board voted to approve.

V.E.W. - Reinstatement applicant, requesting fee waiver and approval. – Dr. Wren made a motion, Dr. Baker seconded and the Board voted to approve.

E.W. - Reinstatement applicant. – Dr. Baker made a motion, Ms. Bowen seconded and the Board voted to request Dr. W. come to the December 2008 Board meeting.

Investigative Report

CHIR070069- Close with mitigating circumstances letter requiring 8 hours in –person CE (not on-line) in record keeping/risk management/clinical documentation.

CHIR080043- Close with letter of concern.

Steven Senart, D.C. – Request to lift probation from Consent Order. Findings – D.C. did not complete the Ethics & Boundaries requirement on order 2005 -1055. **Committee Recommendation:** Approve lifting probation & send letter of concern.

CHIRO080044 – Warren Marshall Ward, D.C. – Allegation & Findings – Self disclosure of drug treatment. **Committee Recommendation:** Private impairment consent order
Three years probation.
Stay in aftercare program.
Screens as required by aftercare program.
Quarterly personal reports.
Quarterly aftercare reports.
Provide copy of order to aftercare program.

CHIR080065 & CHIR090002 – Timothy Kelly, D.C. – Send to OIG – Contact Hartford Insurance Company and ask if they have found any billing discrepancies in the billings on Rochel Blehr & Kenneth Parker.

CHIR090016 – Jong-IL Lee, D.C. – Request patient records to include x-rays. Send patient records letter too. Schedule for Investigative Interview. Graham will request that Scarlett will act as a Korean interpreter.

CHIR090005 – Curtis Fedorchuk, D.C. – Close as issue has been resolved.

CHIR080061 – John Joseph Giovanelli, D.C. – Close with no violation.

CHIR090004 – Anaures D. Jackson, D.C. – Close with no violation.

CHIR090010 – Douglas K. Leichtner, D.C. – Close with no violation.

CHIR090011 – Edward D. Schneider, D.C. – Close with no violation.

CHIR090015 – David M. Hall, D.C. – Schedule for Investigative Interview – Bring copy of original patient record when you come for the investigative interview.

Dr. Baker made a motion, Dr. Wren seconded and the Board voted to accept the recommendations on the investigative report.

Rules Committee Report - David Wren, D.C.

Drs. Nelson, Baker and Slocum compose the Rules Committee.

Dr. Wren is no longer on this committee as he is on the Investigative Committee.

Dr. Wren made a motion, Dr. Baker seconded and the Board voted to post amendment to 100-5-.02 as follows:

100-5-.02 Approval of Educational Programs.

(1) A chiropractor must obtain a minimum of twenty (20) hours of continuing education per annum. Of these twenty hours, fifteen (15) must be in chiropractic clinical science and must be on a topic in compliance with the current scope of practice, four (4) hours must be in ethics or risk management, and one (1) hour must be in Georgia Laws and Rules (NOTE: non-resident chiropractors, licensed but not practicing in Georgia, may take an additional hour of continuing education in the chiropractic clinical sciences or risk management in lieu of the required hour in Georgia Laws and Rules). Current members of the Georgia Board of Chiropractic Examiners are awarded one (1) hour of credit per year to meet the Georgia laws and rules requirement.

(a) Approved areas of study to satisfy the fifteen (15) hours in chiropractic clinical science are:

1. Examination Procedures/Diagnoses
2. Adjustive Technique
3. Radiographic Technique/Safety
4. Diagnostic Imaging Interpretation
5. Nutrition
6. Research Trends
7. Physiological Therapeutics
8. Chiropractic Philosophy; a maximum of 3 hours credit in chiropractic philosophy will be considered by the Board for continuing education approval.
9. Clinical documentation; a maximum of 4 hours credit in clinical documentation will be considered by the Board for continuing education approval.
10. Participation as an examiner with the National Board Examination.

(b) Approved areas of study/service that can be used to satisfy the four (4) hours in ethics or risk management are:

1. Risk Management
2. Chiropractic Medical/Legal
3. Public Health Issues
4. Professional Conduct/Boundaries Issues
5. Scope of Practice.
6. Current service on the Georgia Board of Chiropractic Examiners.

(c) Non-resident chiropractors, licensed but not practicing in Georgia, may take an additional hour of continuing education in the chiropractic clinical sciences or risk management in lieu of the required hour in Georgia Laws and Rules.

(d) Courses specifically excluded from continuing education approval include, but are not limited to the following:

1. Insurance Billing, Reporting, Coding and Procedures.
2. Practice Management or Practice Building.
3. Courses which have content beyond the scope of practice as defined by Georgia law.

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- (2) Courses must be those in which actual attendance by the licensee shall be required. However, distance based learning courses offered via audio/visual electronic media, such as the internet, may be approved by the Board if the course meets the following criteria:
- (a) The course must meet all of the requirements as cited in this Rule.
 - (b) The program must be test and time monitored to insure active participation by the licensee.
 - (c) No more than twenty (20) hours per biennial renewal period can be taken via audio/visual/electronic media, such as on-line/internet courses.

Executive Director's Report

CHIR0080048 – Public CO – 120 day suspension (Graham can negotiate to 90 days), 5 year probation, take and pass the E & B prior to suspension being lifted, during period of probation – must have female attendant(s) when attending to any and /or engaged with any female patients. Must supply name of attendant(s) to the board office – attendant must notify board if any violation of this attendance requirement is breached. See requirements as outlined in the R. Clayton order dealing with chaperone, supervision, counseling & quarterly reporting requirements. \$5,000.00 fine to be negotiated down to not less than \$3,000.00. IF order is not signed within 21 days of receipt, the AG's office will immediately file a Notice of Hearing for Revocation.

Attorney General's Report- Graham Barron

- Update on case V.L. – If order not signed, Graham will file a Notice of Hearing for Revocation.
- Recommendation is to accept Voluntary Surrender on Steven A. Levine, D. C.
- Recommendation is to accept Private Consent Order on D.K.L., D.C.
- Provided verbal advice on manipulation under anesthesia (MUA) – will provide information in writing that can be referred to the Rules Committee.
- Provided verbal advice on Animal Chiropractic policy. Board adopted a policy as follows: The definition of chiropractic in the State of Georgia (OCGA 43-9-1-(2) specifically limits vertebral adjustment to the human spine. It would therefore be illegal for a chiropractor to advertise or promote the service of animal chiropractic or use the term animal chiropractor.

Ms. Bowen made a motion, Dr. Baker seconded and the Board voted to accept the recommendations from the Attorney General's Report.

There being no further business to come before the Board, the meeting was adjourned at 3:15 pm on October 16, 2008.

Minutes prepared by: Carol, Board Secretary

Reviewed/Edited by: Anita Martin, Executive Director