

**GEORGIA BOARD OF CHIROPRACTIC EXAMINERS**  
**Board Meeting**  
**September 13, 2012 • 10:00 a.m.**  
**Professional Licensing Boards**  
**237 Coliseum Drive, Macon, GA**

The Georgia Board of Chiropractic Examiners met on Thursday, September 13, 2012, at 237 Coliseum Drive, Macon, Georgia. The following members were present:

Board Members present

Dr. Karen Mathiak  
Dr. David Wren  
Dr. Chris Nelson  
Dr. Mary Watkins  
Dr. Andy Krantz

Administrative Staff Present:

Brig Zimmerman, Executive Director  
Amy Morelli, Assistant Attorney General  
Amanda Allen, Licensure Analyst  
Chrissy Lewis, Complaint/Compliance Specialist I

Board Members Absent:

Ms. Emily Campbell

Guest Attendees:

Dr. Robert Gordon,  
Dr. Machireddy,  
Mr. Machireddy,  
Dr. Scott Bertrand,  
Dr. Robert Alpert  
Representing MAG: Mr. Marcus Downs and Mr. Joe Young, Esq.

Dr. Mathiak, Chair established that a quorum of the Board was present and the meeting was called to order at 10:46 a.m. Two Investigative Interviews held by the Investigative Committee prior to the meeting start delayed the normal start time of 10:00 a.m.

Agenda:

Approved with late agenda items added

Approval of Minutes:

**Dr. Nelson motioned, Dr. Watkins seconded and the Board voted to approve the following Board Meeting minutes as presented. None opposed, motion carried.**

- July 12, 2012-Standard Board Meeting Minutes
- July, 12, 2012-Executive Session Minutes
- July 24, 2012-Standard Conference Call Meeting Minutes
- July 24, 2012- Executive Session Minutes
- July 31, 2012-Standard Conference Call Meeting Minutes
- July 31, 2012-Executive Session Meeting Minutes
- August 16, 2012- Investigative Committee Meeting

**Public Rule Hearing:**

Rule 100-2-.02 License Renewal

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA BOARD OF CHIROPRACTIC EXAMINERS RULE FOR CHAPTER 100, LICENSE REQUIREMENTS, RULE 100- 2-.02 LICENSE RENEWAL**

**Purpose:** The purpose of this rule amendment is to remove out dated rule language.

**Main Features:** The rule amendment repeals paragraphs (3) and (4).

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA BOARD OF CHIROPRACTIC EXAMINERS RULE FOR CHAPTER 100, LICENSE REQUIREMENTS, RULE 100- 2-.02 LICENSE RENEWAL**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted

**100-2-.02 License Renewal.**

(1) Every person who holds a valid license as a chiropractor shall immediately upon issuance thereof be deemed licensed by the Board. Said license shall expire on December 31 of the even numbered years and shall be renewable biennially in accordance with the Official Code of Georgia Annotated (Section 43-9-11). Any licensee whose business address changes must notify the Board in writing within fifteen days of that change of address.

(2) Applications for renewal received in the Board office within ninety (90) days after the renewal deadline shall be considered "late renewals" and shall be renewed upon the applicant's payment of the current renewal fee, and if audited, his/her submission of the required continuing education hours, and the payment of the applicable penalty fee as determined by the board.

~~(3) The Division Director shall notify all expired licensees by the end of January following the deadline for renewal of the fact that they are practicing chiropractic in violation of the Georgia Chiropractic Practice Act.~~

~~(4) A list of all expired licensees shall be made public on or after April 1.~~

**Authority: O.C.G.A. §§ 43-1-25, 43-9-4, 43-9-6.1 and 43-9-11**

**Dr. Wren motioned, Dr. Krantz seconded, and the Board voted to adopt the amendments to Rule 100-2-.02 License Renewal as posted for the 30-day minimum requirement. None opposed, motion carried.**

**Dr. Wren motioned, Dr. Krantz seconded, and 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 O.C.G.A. §§ 43-1-25, 43-9-4, 43-9-6.1 and 43-9-11.**

**Additionally, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-9-4, 43-9-6.1 and 43-9-11 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of chiropractic practice.**

**Correspondences:**

Correspondence(s) received between scheduled Board meetings were reviewed and discussed.

- Scott Boshetto and Dr. Andrew Caine,

**Dr. Nelson motioned, Dr. Wren seconded, and the Board voted to allow the administrative staff respond to all correspondents as directed. None opposed, motion carried.**

**Executive Director's Report:**

1. Mr. Zimmerman notified the Board that the guest attendees' were not in attendance for the public rule hearing; however, they would like to address the MUA rule proposal. No current rule posted for adoption at this time.
  - a. Board entertained the motion to allow guest attendees to present their questions/concerns regarding MUA to the Board.
2. Mr. Zimmerman notified the Board members, as well as, the guest attendees that the renewal period had begun and all licensed Chiropractors could now go online and renew his/her license.
3. Mr. Zimmerman reviewed the revisions to Rule 100-2-.01 License Renewal with all guest attendees.
4. Mr. Zimmerman reviewed the current renewal and reinstatement fees with the Board.

**Dr. Wren motioned, Dr. Krantz seconded, and the Board voted to accept the Executive Director's Report as presented. None opposed, motion carried.**

**Federal Student Loan Defaults:**

- Dr. Brian J. Ackerman, CHIR002273

**Federal Student Loan Defaults were presented to the Board. Dr. Nelson motioned that the Board suspend the license to practice as a Chiropractor effective 30-day from the date of the First Letter of Suspension for nonpayment status or default or breach of repayment or service obligation for his/her federal educational scholarship program program. Dr. Nelson further recommended that such suspension shall be STAYED pending an appearance before the Board if a request for an appearance is timely received and that this suspension shall be lifted upon receipt of written release from the federal agency that the subject licensee's is not the person at issue or making payments on the loan, service conditional loan repayment program, or service conditional scholarship program satisfying the payment or service requirements in accordance with an agreement approved by the federal agency. Dr. Krantz seconded the motion. None opposed, motion carried.**

**Petition for Variance/Waiver Request:**

- Ronald Hash-Rule 100-5-.01

**Dr. Krantz motioned, Dr. Wren seconded, and the Board voted to grant the petition for variance/waiver request. Petition has been granted previously for the 2010 renewal cycle. None opposed, motion carried.**

**Probation Termination Requests:**

**Dr. Wren motioned, Dr. Watkins seconded, and the Board voted to grant the probation termination requests. All mandatory requirements have been met. None opposed, motion carried.**

- Dr. Bill Overstreet
- Dr. Mark Slater

**Dr. Wren motioned, Dr. Watkins seconded, and the Board voted to table the probation termination request; pending the receipt of additional information. None opposed, motion carried.**

- R.K.

**Open Records Request:**

- Tennessee Office of the Attorney General: Dr. Andrew Mincy, CHIR006729

**Dr. Wren motioned, Dr. Nelson seconded, and the Board voted to grant the Open Records Request. None opposed, motion carried.**

**Executive Session:**

**Dr. Wren motioned, Dr. Krantz seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-2(k) (1) (2), O.C.G.A. § 50-14-2(1), O.C.G.A. § 43-1-2-(k) (4), O.C.G.A. § 43-1-19 (h) (2) & (4) to receive and review information pertaining to applications, complaints, and to receive the Assistant Attorney General’s and Investigative Committee reports. Voting in favor of the motion were those present who included Board members: Mathiak, Wren, Watkins, and Krantz.**

**At the conclusion of Executive Session on Thursday September 13, 2012, Dr. Mathiak declared the meeting to be “open” pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.**

**Applications:**

**Dr. Watkins motioned, Dr. Krantz seconded, and the Board voted to take the following action on applicants applying for licensure by Application. None opposed, motion carried.**

- |                    |                        |
|--------------------|------------------------|
| 1. Tomlinson, Mark | Approved for licensure |
| 2. Whalen, Adam    | Approved for licensure |

**Licensure by Reinstatement:**

**Dr. Watkins motioned, Dr. Krantz seconded, and the Board voted to take the following action on applicants applying for licensure by Reinstatement. None opposed, motion carried.**

- |                        |                                 |
|------------------------|---------------------------------|
| 1. Dowell, Christopher | Approved for licensure          |
| 2. Guilford, Evelyn    | Approved for licensure          |
| 3. Keres, Adam         | Approved for licensure          |
| 4. Neil, Randy         | Approved for licensure          |
| 5. C.T.                | Tabled for further Board review |

**Approved Licensees:**

**Dr. Nelson motioned, and Dr. Watkins seconded, and the Board voted to ratify the following applications approved between Board meetings determined to have met licensure requirements as follows:**

License Number	Licensee Name	Issue Date
CHIR009020	Fuqua, Whitney Gail	7/11/2012
CHIR009021	Lofton, Beatrice Lynne	7/11/2012
CHIR009022	Park, Chan Kyu	7/11/2012
CHIR009023	Rivers, Adrienne Nicole	7/11/2012
CHIR009024	Wilson, Brian Patrick	7/11/2012
CHIR009025	York, Amber Elizabeth	7/11/2012
CHIR009026	Radford, James Anthony	7/25/2012

CHIR009027	Kazakevich, Kevin Scott	7/25/2012
CHIR009028	Strohm, Nathan E	7/25/2012
CHIR009029	Ghali, Mark Jicov	7/30/2012
CHIR009030	Stockwell, Teri Lorencen	7/30/2012
CHIR009031	Brown, Cassandra Louise	7/31/2012
CHIR009032	Foster, Christopher Frederick	7/31/2012
CHIR009033	Phillips, Sean Landon	7/31/2012
CHIR009034	Hull, Jered Michael	7/31/2012
CHIR009035	Jones, Alvin Delance	7/31/2012
CHIR009036	McAfee, Jason Lee	8/2/2012
CHIR009037	Fox, Corbin C, III	8/2/2012
CHIR009038	Hollen, Austin Gerald	8/2/2012
CHIR009039	Kittay, Eric Philip	8/2/2012
CHIR009040	Goeddeke, Steven Robert	8/6/2012
CHIR009041	Crawford, Candice Alisha	8/10/2012
CHIR009042	Gardner, Tara Lynn	8/10/2012
CHIR009043	Johnson, Kara Beth	8/10/2012
CHIR009044	Kim, Yun S	8/10/2012
CHIR009045	Johnson, David Berek	8/13/2012
CHIR009046	Langley, Gerald Andrew	8/21/2012
CHIR009047	Moratto, Michael	8/29/2012

**Reinstatement Applications**

License Number	Licensee Name	Issue Date
CHIR001596	Haberer, Janet Marie	07/25/2012
CHIR001931	Greve, Theodore A	06/05/2012
CHIR006260	Mendes, Vincent Joseph, III	07/25/2012
CHIR007856	Hagerich, Edward Anthony	08/29/2012

**Investigative Committee Report:**

The Investigative Committee presented the Board with an overview of all open complaint cases.

**Complaint cases closed, no additional actions required:**

- CHIR110053, CHIR110054, CHIR120038, CHIR120043, CHIR120045, CHIR120048, CHIR120051, CHIR120055, CHIR120058 and CHIR130004

**Complaint cases pending further Board discussion or the receipt of additional information:**

- CHIR120033, CHIR120070, CHIR130001, CHIR130002 and CHIR130006

**Complaint cases referred to the Attorney General's Office:**

- CHIR120044 and CHIR120057

**Complaint cases pending an Investigative Interview:**

- CHIR120023, CHIR120029 and CHIR120069

**Complaint cases referred to the Enforcement Division:**

- CHIR120015

**Attorney General's Report:**

Assistant Attorney General, Amy Morelli provided the Board with a status report which included information on any cases referred for action.

**Dr. Watkins motioned, Dr. Krantz seconded, and the Board voted to accept the Attorney General's Report as presented. None opposed, motion carried.**

**Additional Business:**

- 1. 2013 Board Meeting Dates: Dr. Nelson motioned, Dr. Watkins seconded, and the Board voted to approve the 2013 Board meeting dates. None opposed, motion carried.**
  - a. 01-11-2013, 03-15-2013, 05-10-2013, 07-12-2013, 09-13-2013, 11-15-2013
  - b. Investigative Committee Meeting Dates: 02-14-2013, 04-11-2013, 06-13, 2013, 08-08-2013, 10-10-2013, 12-12-2013.

**With no additional business to be discussed, the sub-committee adjourned the meeting at 4:00 p.m.**

**Minutes recorded by:**

Amanda M. Allen, Board Support Specialist

**Minutes reviewed and edited by:**

Brig Zimmerman, Executive Director

**DR. KAREN MATHIAK**

Chair

**BRIG ZIMMERMAN**

Executive Director

These minutes were signed and approved on November 08, 2012.