

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting
March 15, 2013 • 10:00 a.m.
Professional Licensing Boards
237 Coliseum Drive, Macon, GA

The Georgia Board of Chiropractic Examiners met on Friday, March 15, 2013, at 237 Coliseum Drive, Macon, Georgia. The following members were present:

Board Members present

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

Administrative Staff Present:

Brig Zimmerman, Executive Director
Hope Harrison, Board Support Specialist

D. McNeely-Williams, Senior Assistant Attorney General

Board Members absent:

Dr. Karen Mathiak
Ms. Emily Campbell

Guest Attendees:

Dr. Don Allamong
Dr. John R. Dull
Dr. Tim Langley
Dr. Robert Alpert

Dr. Wren, Vice-Chair, established that a quorum of the Board was present and the meeting was called to order at 10:03 a.m.

Agenda:

Dr. Krantz motioned, Dr. Nelson seconded and the Board voted to approve the agenda with late agenda items added. None opposed, motion carried.

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.

- January 11, 2013-Board Meeting
- February 22, 2013-Investigative Committee Meeting Minutes

Board Chair Report:

No report presented.

Executive Director's Report:

- Proposed Rule Amendments – this item was tabled until absent Board members were present to participate in the discussion.
- Interested Parties List Correspondence presented:
Recently, the Professional Licensing Boards Division of the Secretary of State's Office updated their software regarding the Interested Parties list maintained by the Board. The Interested Parties list is a way for the Board to notify licensees, as well as interested parties and associations, of current rules being proposed by the Board. Subscribers of this list are sent electronic notifications each time a proposed rule is being considered by the Board. Any person wishing to receive these notifications must now subscribe to the updated Interested Parties list maintained by the Board. Even if you were

previously subscribed to receive such notifications, you will need to complete the subscription process again in order to continue receiving notifications from the Board.

If you would like to receive such notifications in the future, please visit the following link to subscribe: <http://sos.georgia.gov/plb/subscribe.htm>

If you choose not to subscribe, you will not receive these notifications from the Board. The proposed rules may always be viewed at the Board's website: <http://sos.georgia.gov/plb/chiro/>

- The PEAK Program: Mr. Zimmerman asked the Board Members what criteria, if any, should be required for approval of a PEAK Doctor. PEAK Doctors provide mentorship to chiropractic students. This item will be added to the next agenda for further discussion.
- March 31, 2013 will mark the end of the late renewal period for chiropractic licensure renewals. To date, approximately 80-84% of licensees have successfully completed the renewal process. The new requirement this renewal cycle for all Professional Licensees renewing be required to submit a Secure and Verifiable Document (SVD) to complete the renewal (O.C.G.A. § 50-36-1) is slowing processing of renewals.
- Mr. Zimmerman asked the Board about their currently posted "Review Agent" listing on the Board website. It was noted that the Board sets requirements through rule 100-17-.01, but certification and monitoring is done by the Insurance Commissioner's Office. The Review Agent list will be removed from the Board's website and replaced with a notice to refer to the Insurance Commissioner's Office for a current list.

Correspondences:

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

- Dull, J. – Review Agents: Mr. Dull requested clarification request on how a disability will affect his Review Agent status. It was recommended for Dr. Dull to submit a Petition for Waiver/Variance of Rule 100-17-.01 for consideration by the Board.
- ICA Request for Recognition: Clarification of what is being requested is needed.
- Logan College request for stance on veterinary chiropractic. The Board has issued a position statement on animal manipulation which is posted on their website for reference.
- National Board of Chiropractic Examiners delegate and alternate: Dr. Mathiak has already agreed to be the Board's delegate. Dr. Watkins was designated as the alternate delegate.
- Topel, C. – Vacation Work. Dr. Topel must abide by the provisions set forth in his consent order. If he performs vacation work, he should provide a copy of his consent agreement to any prospective "employer". He should bill under his own provider number for any services he provides.

Dr. Watkins motioned, Dr. Krantz seconded, and the Board voted for the administrative staff to respond to all correspondents as directed. None opposed, motion carried.

Open Records Request:

- Ugolik, L. – CHIR005023
- Schuyler, R.P. – CHIR004850
- Harrison, H.D. – CHIR005319

Dr. Nelson motioned, Dr. Watkins seconded, and the Board voted to deny the open records requests on the above individuals. None opposed, motion carried.

Petition for Waiver or Variance of Board rule(s):

- James Buck, rule 100-2-.08 Inactive License

Dr. Nelson motioned, Dr. Watkins seconded, and the Board voted to deny the request for waiver based on insufficient evidence of hardship. None opposed, motion carried.

Violation of Public Order:

- Dr. Leslie Tucker
Violation: No record of Ethics & Boundaries exam scores and failure to pay fine.
Recommendation: Send a letter of non-compliance.
- Dr. Chris Lockerman
Violation: No record of Ethics & Boundaries exam scores.
Recommendation: Watch license renewal status. A non-compliance letter will be sent.

Dr. Krantz made a motion, Dr. Watkins seconded, and the Board voted for the administrative staff to act on the recommendations as indicated. None opposed, motion carried.

Probation Termination Request:

- John M. Turner - Terms and Conditions of Board Order have not been met.

Dr. Watkins made a motion, Dr. Krantz seconded, and the Board voted to extend the probation of John Turner for non-compliance and require completion of three hours of Georgia Laws and Rules within six months. None opposed, motion carried.

- Francisco Pastor - All terms and conditions of Board Order have been met.

Dr. Watkins made a motion, Dr. Nelson seconded, and the Board voted to terminate the probationary license status of Francisco Pastor. None opposed, motion carried.

Miscellaneous Board Discussion Items:

- Application Ratify List

License_No	Licensee Name
CHIR009088	Whedon, Eric Edwin
CHIR009089	Sands Annicelli, Donna L
CHIR009090	Drake, Sean David
CHIR009091	Carlson, Lynn M
CHIR009092	Hubbard, Christa Goodman
CHIR009093	McCarty, Nicole Rai-icia
CHIR009094	Delgado-Rivera, Coralís
CHIR009095	Todd, Tabitha Erin
CHIR009096	Farless, Deanna DeJesus
CHIR009097	Spencer, Ashleigh Dehnea
CHIR009098	Shores, Jacob Daniel
CHIR009099	Dahlberg, Valerie Lauren
CHIR009100	Swaney, Shane Michael
CHIR009101	Chopra, Abha

CHIR009102	Pampena, Louis A
CHIR009103	Moore, Dayna Carol
CHIR009104	Adams, Brandt Curtis
CHIR009105	Potter, Nathan Blake
CHIR009106	Davis, Steven Lee
CHIR009107	Benton, Jennifer Louise
CHIR009108	Aylor, Mark Owen
CHIR009109	Lee, Seung Ki
CHIR009110	Kale, Randolph Hart
CHIR009111	Hong, Seungmo
CHIR009112	Nguyen, Le T

Dr. Krantz motioned, Dr. Watkins seconded and the Board voted to ratify the listing of individuals whose licenses were administratively issued from January 11, 2013 through March 14, 2013. None opposed, motion carried.

Executive Session:

Dr. Nelson 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: Wren, Nelson, Watkins, and Krantz.

At the conclusion of Executive Session on Friday, March 15, 2013, Dr. Wren 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.

Applicant Interview:

- D.A. – Request reconsideration of denial for licensure.
Recommendation: Table pending receipt of further documentation.

Dr. Nelson motioned, Dr. Watkins seconded, and the Board voted to take the recommended action on the applicant interview. None opposed, motion carried.

Applications for Board Review:

- A.P. – Reinstatement of expired license – Refer to Legal/Policy # 5
- A.C. – Reinstatement of expired license – Refer to Legal/Policy # 5
- D.S. - Reinstatement – Refer to Policy #14, effective 01-11-2013
- D.Y. – Reinstatement of license - Denied.
- D.K. – Reinstatement of license - Original Consent Order stands.
- J.R. – Reinstatement of license - Pending
- K.D. – Reactivation of license - Pending
- T.S. – Denial stands.

Renewal Issues for Board Review:

- Dr. Daniel Carluccio – Fine has not been paid as stipulated in 2011 Public Consent Order for Renewal, docket number 2011-0538.
Recommendation: Proceed with renewal once fine has been paid in full.

- N.B. – Renew License – Notify Board of Final Disposition

Investigative Committee Report:

Mr. Brig Zimmerman, Executive Director, reviewed the complaint cases presented for closure as listed below on behalf of the Investigative Committee.

Complaint cases closed, no additional actions required:

CHIR090060, CHIR110051, CHIR130010, CHIR130014, CHIR130039 and CHIR130042

Dr. Watkins motioned, Dr. Krantz seconded, and the Board voted to accept the Investigative Committee’s Report as presented. None opposed, motion carried.

Attorney General’s Report:

Senior Assistant Attorney General, D. Williams-McNeely provided the Board with a status report which included information on any cases referred for action.

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

Miscellaneous Discussion Items:

- R.J. – Request reconsideration of Consent Agreement for Reinstatement CE conditions.
Recommendation: Approve change to CA to allow completion of the CE requirement before the December 2014 renewal deadline. All others terms and conditions would still apply.

Dr. Krantz motioned, Dr. Nelson seconded, and the Board voted to amend the proposed consent agreement to allow reinstatement of license immediately upon receipt of the signed consent agreement and payment in full of the fine. Licensee will be required to complete the CE hours indicated above no later than the December 2014 renewal date.

Dr. Krantz motioned, Dr. Watkins seconded and the Board voted to approve the following Board Executive (Closed) Session Meeting minutes as presented. None opposed, motion carried.

- January 11, 2013-Executive Session Minutes
- February 22, 2013-Investigative Committee Meeting Minutes
- Dr. Mary Watkins earned the top honor of Chiropractor of the Year during Georgia Chiropractic Association’s 100th anniversary. Her photo appeared on the cover of the winter 2013 publication of *The Georgia Chiropractor*. Dr. Watkins is a member of the Georgia Chiropractic Board of Examiners. Her fellow Board members expressed their congratulations on her achievement.
- Dr. Wren noted that Georgia three prominent Georgia licensed chiropractors who had passed away were recognized for their accomplishments and contributions to the profession in *The Georgia Chiropractor*: Dr. D.N. Parkerson, Dr. Jeffrey Slocum, and Dr. Sid Williams. He expressed sympathy for their families.

With no additional business to be discussed, the meeting was adjourned at 3:48 p.m.

Minutes recorded by:

Hope Harrison, Board Support Specialist

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director

DR. DAVID WREN

Vice-Chair

BRIG ZIMMERMAN

Executive Director

These minutes were approved on May 10, 2013