



## State of Arizona Board of Chiropractic Examiners

5060 North 19<sup>th</sup> Avenue Suite 416  
Phoenix, Arizona 85015  
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12/09/2011

### NOTICE OF MEETING AND HEARINGS OF THE ARIZONA STATE BOARD OF CHIROPRACTIC EXAMINERS

Pursuant to A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN to the members of the Arizona State Board of Chiropractic Examiners and to the general public that the Board of Chiropractic Examiners will hold a scheduled meeting. The meeting will be open to the public, on **Thursday, January 12, 2012** at 5060 North 19th Avenue, **Suite 416**, conference room Phoenix, Arizona. The meeting will begin at **8:00 a.m.** When necessary, the Board may go into Executive Session intermittently throughout the meeting for discussion and consultation for legal advice regarding any of the agenda items. (A.R.S. § 38-431.03(A)(3). The Board may also go into Executive Session to discuss personnel matters A.R.S. § 38-431.03(A)(1), records exempt by law from public inspection A.R.S. § 38-431.03 (A)(2) or for legal advice and consultation regarding pending or contemplated litigation A.R.S. § 38-431.03 (A)(4). The Board reserves the right to change the order of items on the Agenda and to call cases in random order.

A copy of the agenda for the meeting will be available at 5060 North 19th Avenue, Suite 416, Phoenix, Arizona at least 24 hours prior to the meeting.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Ruby Kelley, Administrative Assistant at (602) 864-5088, ext. 14. Requests should be made as early as possible to allow time to arrange the accommodation.

**DATED this 9<sup>th</sup> day of December 2011.**

BOARD OF CHIROPRACTIC EXAMINERS

By   
Patrice A. Pritzl, Executive Director

### CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of this notice will be duly posted at 5060 North 19th Avenue, Suite 416, Phoenix, Arizona on, **January 9<sup>th</sup>, 2012 at 5:00 p.m.** in accordance with the statement filed by the Arizona State Board of Chiropractic Examiners with the Arizona Secretary of State.

**DATED this 9<sup>th</sup> day of December 2011**

By   
Patrice A. Pritzl, Executive Director

Janice K. Brewer  
Governor

•••  
P. Dianne Haydon, D.C.  
Chairperson

Susan Wenberg, D.C.  
Vice Chairperson

James J. Badge, D.C.  
Member

Norris Nordvold  
Member

Frances Hanson  
Member

•••  
Patrice A. Pritzl  
Executive Director

**ARIZONA STATE BOARD OF CHIROPRACTIC EXAMINERS  
5060 N. 19 Ave. #416  
Phoenix, AZ 85015**

**\*\*FINAL\*\*  
BOARD MEETING AGENDA  
Thursday  
January 12, 2012  
8:00 am**

When necessary, the Board may go into Executive Session intermittently throughout the meeting for discussion and consultation for legal advice regarding any of the agenda items. A.R.S. § 38-431.03 (A)(3). The Board may also go into Executive Session, on agenda items C through M to discuss records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. A.R.S. § 38-431.03 (A)(2).

The Board reserves the right to change the order of items on the Agenda or to take action on any item and call cases in random order. The Board may discuss, consider or take action on any item on the agenda.

In accordance with Title II of the Americans with Disabilities Act (ADA), this Board does not discriminate on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation, such as sign language interpreter, by contacting Ruby Kelley at 602.864.5088 ext. 14. Requests should be made as early as possible to allow time to accommodate the request.

- A. Call to Order**
  
- B. Roll Call**

**C. Board Meeting Minutes** – Review, discussion and possible action on the following:

TAB NO.	
1	Regular meeting minutes for December 15, 2011
2	Executive session minutes for December 15, 2011

**D. Consent Agreements** – Review, discussion and possible action on proposed Consent Agreements.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**E. Consent Agenda** – Review, discussion and possible action on consent to Dismiss or take other action.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**F. Formal Interview** – Review, discussion and possible action on the following cases scheduled for Formal Interview pursuant to A.R.S. § 32-924 (F):

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**9:00 AM**

- G. Formal Hearing** – Review, discussion and possible action on the following cases scheduled for Formal Hearing pursuant to A.R.S. § 32-924 (G), (H) and (I):

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

- H. MOTION FOR REHEARING OR REVIEW** – Review, discussion and possible action on the motion for rehearing or review pursuant to A.A.C. R4-7-305

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

- I. Initial Appearance** – Review, discussion and possible action on the following cases before the Board for the first time:

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
3	2011-021	Gerald E. Martin Jr., D.C.	650	
4	2011-105	Gerald E. Martin Jr., D.C.	650	
5	2011-023	Darrin C. Walters, D.C.	7096	
6	2011-024	Adam L. Klein, D.C.	5982	
7	2011-043	Robert L. Gear Jr., D.C.	554	
8	2012-026	Robert L. Gear Jr., D.C.	554	
9	2012-012	Peter J. Gariboldi, D.C.	4579	
10	NJ2012-019	Richard Matera	Unlic	
11	2012-021	J Sue Davis, D.C.	4556	
12	2012-024	Robert S. Watson III, D.C.	7236	
13	NJ2012-043	PuQuan Xiao	Unlic	
14	NJ2012-044	Qingsong Xiao	Unlic	

**J. Previously Before the Board** – Review, discussion and possible action on the following items previously before the Board:

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**K. Whether to Open** – Review, discussion and possible action on whether to open a complaint or take other action on the following:

TAB NO.	LICENSEE	LIC NO.	
15	Philip C. Barnard, D.C.	4946	False Statements
16	Michael R. Compton, D.C.	8119	Advertising/Exceeding Scope/Promise to Cure/Failure to Identify Chiropractic
17	Shaun W. Hudson, D.C.	5652	Habitual use of Alcohol
18	Pejman Pourarbab, D.C.	7052	Fraud/Deception in Procuring License
18A	Damian E. Smith, D.C.	6086	Discipline in another state

**L. Probation** – Review, discussion and possible action regarding the following cases currently under Probation:

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**M. Licensure** – Review, discussion and possible action on the following applications for licensure upon payment of appropriate fees:

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**Licensure by Examination:**

TAB NO.	APPLICANTS	
19	Kevin M. Eagar, D.C. Vincent L. Frost, D.C. Jason Szabo, D.C.	

**Licensure by Reciprocity:**

TAB NO.	APPLICANTS	
Vacant		

**Licensure by Examination with Disclosure:**

TAB NO.	APPLICANTS	DISCLOSURE
20	Russell H. Lytton, D.C.	Disclosed Misdemeanor
21	Richard G. Matera, D.C.	Undisclosed Misdemeanor and Open Complaint

**Licensure by Reciprocity with Disclosure:**

TAB NO.	APPLICANTS	DISCLOSURE
Vacant		

- N. Reinstatement** – Review, discussion and possible action on the following applications for reinstatement of license upon payment of appropriate fees:

TAB NO.	APPLICANTS	
22	Bradley D. Storks, D.C.	From Administrative Suspension
23	Darren Kalanj, D.C.	From Administrative Suspension with Undisclosed Disciplinary Action in Another Jurisdiction

- O. Certification** – Review, discussion and possible action on the following applications for certification upon payment of appropriate fees:

**Physical Medicine Modalities and Therapeutic Procedures:**

TAB NO.	APPLICANTS	
24	Cori D. Carter, D.C. Kevin M. Eagar, D.C. Vincent L. Frost, D.C. Jason Szabo, D.C.	

**Acupuncture:**

TAB NO.	APPLICANTS	
Vacant		

- P. Training Applications** – Review, discussion and possible action on the following course and training applications:

**Chiropractic Assistant:**

TAB NO.	APPLICANTS	
Vacant		

**Preceptorship:**

TAB NO.	APPLICANTS	PROGRAM DATES
Vacant		

**Q. Board Business** – Review, discussion and possible action regarding the following:

<b>TAB NO.</b>	
25	J.R. Willis, D.C. – Continuing Education Extension Request
26	Approval of Draft Substantive Policy regarding Identification of Chiropractic Throughout the Patient Record
27	Review of legislation that may impact the Board or chiropractic profession – verbal report
28	License renewal report – verbal report
29	Cash flow/budget review – verbal report
30	Review of Draft Continuing Education Rule

**R. Call to the Public**

Pursuant to A.R.S. § 38-431.01(H), Board members are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, members may ask staff to review a matter or may ask that a matter be placed on a future agenda.

**S. Adjournment**