



State of Arizona Board of Chiropractic Examiners

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01/10/2014

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

Janice K. Brewer
Governor

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James J. Badge, D.C.
Chairperson

Richard A. Guarino, D.C.
Vice-Chairperson

Norris Nordvold
Member

Gregory Katsaros, D.C.
Member

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Pamela J. Paschal
Interim Executive Director

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 **Wednesday January 15, 2014** at 5060 North 19th Avenue, **Suite 416**, conference room Phoenix, Arizona. The meeting will begin at **9:00 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. 214. Requests should be made as early as possible to allow time to arrange the accommodation.

DATED this 10th day of January 2014.

BOARD OF CHIROPRACTIC EXAMINERS

By

Pamela J. Paschal
Pamela J. Paschal, Interim 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 13th 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 10th of January 2014

By

Pamela J. Paschal
Pamela J. Paschal, Interim Executive Director

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

FINAL
BOARD MEETING AGENDA
Wednesday
January 15, 2014
9:00 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 D through S 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. 214. Requests should be made as early as possible to allow time to accommodate the request.

- A. Call to Order**
- B. Roll Call**
- C. Recognition, Instruction and Dialogue with New Licensees**

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

TAB NO.	
01	Meeting Minutes of December 18, 2013

E. Formal Hearing – 9:00 AM - 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				

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				

G. 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				

- H. Initial Action on Complaints** – Review, discussion and possible action on the following cases before the Board for the first time. The Board may consider dismissing the complaint; issuing a Non-Disciplinary Advisory Letter; Order for Non-Disciplinary Continuing Education or forwarding the matter for further investigation.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
02	2012-037	Parrish S. Lewin, D.C.	5592	
03	2014-003	Michael D. Miller, D.C.	5422	
04	2014-009	Timothy J. Harrigan, D.C.	8026	
05	2014-011	Roland F. Phillips Jr., D.C.	3770	
06	2014-007	Carla E. Diana, D.C.	7508	
07	2014-023	Irma J. Kaleta, D.C.	8065	

- I. 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				

- J. 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.	ALLEGATIONS
Vacant			

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
08	2006-116 & 2010-077	Caron C. Pedersen, D.C.	5882	Review stay granted to terms of Probation
09	2006-128	Carmen N. Brodeur, D.C.	6042	Review stay granted to terms of Probation
10	2006-129	Marc A. Brodeur, D.C.	6010	Review stay granted to terms of Probation

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
11	2011-016	Frank B. Hatch, D.C.	5057	
12	2013-057	Matthew L. Bradley, D.C.	8262	

M. Consent Agenda Open Complaint/Issue Advisory Letter – Review, discussion and possible action on consent to Open a Complaint and Issue a Non-Disciplinary Advisory Letter or take other action.

TAB NO.	RESPONDENT	LIC. NO.	
Vacant			

N. Consent Agenda Issue Advisory Letter – Review, discussion and possible action on consent to Issue a Non-Disciplinary Advisory Letter or take other action.

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

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
13	2014-019	Joseph D. Johnson, D.C.	8229	Dismiss No Basis
14	2014-021	Joseph O. DiDuro, D.C.	7757	Dismiss No Basis

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

Licensure by Examination:

TAB NO.	APPLICANTS	
15	Troy W. Bjorklund, D.C. Zackery A. Conklin, D.C. Benjamin A. B. Imagire, D.C. Brandon G. Kulp, D.C. Patricia Ann Pellegrino, D.C. Mary Megan Santos, D.C.	

Licensure by Reciprocity:

TAB NO.	APPLICANTS	
Vacant		

Licensure by Examination with Disclosure:

TAB NO.	APPLICANTS	DISCLOSURE
Vacant		

Licensure by Reciprocity with Disclosure:

TAB NO.	APPLICANTS	DISCLOSURE
Vacant		

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

TAB NO.	APPLICANTS	
16	Jared W. Woolsey, D.C.	From Administrative Suspension
17	Mark Van Hemert, D.C.	From Inactive Status

- R. 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	
18	Troy W. Bjorklund, D.C. Zackery A. Conklin, D.C. Benjamin A. B. Imagire, D.C. Brandon G. Kulp, D.C. Patricia Ann Pellegrino, D.C.	

Acupuncture:

TAB NO.	APPLICANTS	
19	Patricia Ann Pellegrino, D.C.	

S. 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
20A	Michelle R. Coats, D.C. with Jennifer L. Pendergast	03/04/2014 through 06/13/2014
20B	Joseph L. Maher, D.C. with Cory R. Simons	03/04/2014 through 06/13/2014

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

TAB NO.	
21	Chairman's Report – Direction of Agency
22	Appointment of Pamela Paschal, Interim Executive Director, as the Executive Director. The Board may also go into Executive Session to discuss personnel matters A.R.S. § 38-431.03(A)(1).
23	Determination of compensation to the Executive Director. The Board may also go into Executive Session to discuss personnel matters A.R.S. § 38-431.03(A)(1).
24	Review and Approval of Business Entity Notice of Supplemental Proposed Rulemaking A.A.C. R4-7-1401 through 1408
25	Board Staff Personnel Update

U. 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.

V. Adjournment