



## State of Arizona Board of Chiropractic Examiners

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Janice K. Brewer  
Governor

•••  
James J. Badge D.C.  
Chair

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

Norris Nordvold  
Member

•••  
Patrice A. Pritzl  
Executive Director

01/09/13

### 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 **Wednesday, January 16<sup>th</sup>, 2013** 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 9<sup>th</sup> day of January 2013**

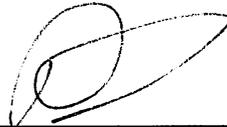
BOARD OF CHIROPRACTIC EXAMINERS

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 14, 2013 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 January 2013**

By   
Patrice A. Pritzl, Executive Director

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

**\*\*FINAL\*\***  
**BOARD MEETING AGENDA**  
Wednesday  
January 16, 2013  
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 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. 214. 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:**

<b>TAB NO.</b>	
01	Board meeting minutes for December 12, 2012

**D. 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				

**E. 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.	
02	13F-001-CEA & 13F-042-CEA	<b>9:00 AM</b> Robert A. DeFazio, D.C.	6091	Review, discussion and possible action on Administrative Law Judge Decision
03	2012-105	<b>10:00 AM</b> Nicholas K. Poff, D.C.	8240	

**F. 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.	
04	2012-041	Christopher Komarnisky, D.C.	5328	

**G. 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 or forwarding the matter for further investigation.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
05	2011-117	Daniel W. Dahl, D.C.	762	
06	2011-124	Kevin Lees, D.C.	7616	
07	2011-125	Christopher M. Judge, D.C.	8067	
08	2011-126	Shawn R. Allen, D.C.	8122	
09	2011-127	Christi Chism, D.C.	5360	
10	2012-031	Jeffrey D. Laufenberg, D.C.	5508	Possible Admin Suspension
11	2012-022	Gary B. Mendez, D.C.	5659	
12	2012-023	Dane C. Hastings, D.C.	7924	
13	2012-028	Tanoj C. Bhakta, D.C.	7559	
14	2012-030	Jesus G. Bernal, D.C.	6088	
15	2012-034	Michael J. Moore, D.C.	5032	
16	2013-005	Pierce W. Waychoff, D.C.	7912	

**H. 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				

**I. 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
17	Joshua F. Bock, D.C.	5832	Failure to comply with subpoena
18	Craig M. Curtis, D.C.	3732	Improper billing and treatment
19	Russell W. Erhardt, D.C.	3809	Failure to properly identify chiropractic; exceeding scope; aiding and abetting
20	Adrienne M. Frazer, D.C.	1039	Felony indictments
21	Wayne R. Nickel, D.C.	525	Failure to report arrest and alcohol abuse
22	Marcus R. Perron, D.C.	7889	Abuse of alcohol; failure to report charges; failure to provide information
23	Jay B. Phillips, D.C.	7666	Failure to maintain records; altering records and improper billing
24	Alisa M. Wasserman, D.C.	5378	Failure to report arrest; alcohol abuse and unprofessional conduct

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
25	2006-116 & 2010-077	Caron C. Pedersen, D.C.	5882	Continue stay of Probation

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

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

- L. 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			

- M. 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				

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
26	2012-020	James D. Suba, D.C.	7338	
27	2012-025	Michael G. Halsam, D.C.	5349	
28	2012-027	Jason T. Lundgren, D.C.	5485	
29	2012-033	Pierce W. Waychoff, D.C.	7912	
30	2012-035	Kevin R. Wall, D.C.	4705	
31	2012-036	Joshua F. Bock, D.C.	5832	
32	2012-032	Matthew J. Emmons, D.C.	7922	
33	2013-007	Kevin Alavian, D.C.	7119	

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

**Licensure by Examination:**

TAB NO.	APPLICANTS	
34	Lee Ann Kalaba, D.C. Kelly Kang, D.C. Tanya Podolak, D.C. Sarah J. Tablak, D.C.	

**Licensure by Reciprocity:**

TAB NO.	APPLICANTS	
Vacant		

**Licensure by Examination with Disclosure:**

TAB NO.	APPLICANTS	DISCLOSURE
35	Jason R. Golec, D.C.	Disclosed Misdemeanors

**Licensure by Reciprocity with Disclosure:**

TAB NO.	APPLICANTS	DISCLOSURE
Vacant		

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

TAB NO.	APPLICANTS	
36	Jeffrey M. Glaus, D.C. Dale E. Folz, D.C.	From Administrative Suspension
37	William Ormiston, D.C.	From Inactive Status

**Q. 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	
38	Lee Ann Kalaba, D.C. Kelly Kang, D.C. Dorian Parent, D.C. Sarah J. Tablak, D.C.	

**Acupuncture:**

TAB NO.	APPLICANTS	
Vacant		

**R. 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		

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

TAB NO.	
39	Business Entity Rule draft for Board review and approval
40	Arizona Association of Chiropractic Sunrise Application
41	Cash Flow/Budget –report at meeting

**T. 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.

**U. Adjournment**