



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

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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, February 13th, 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 9th 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, **February 11, 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 9th, 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
February 13, 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:**

TAB NO.	
01	Meeting Minutes of January 16 th , 2013

- 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.	
02	2011-111	Scott J. Dannatt, D.C.	7631	
03	2011-123	Eric J. Vindiola, D.C.	6002	
04	2012-005	Arthur A. Mejia, D.C.	7410	

- 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. **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				

- 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.	
Vacant				

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
05	Matthew L. Bradley, D.C.	8262	Failure to report charges; misdemeanor conviction
06	Robert B. Coffey, D.C.	7166	Failure to Comply with a Board Order
07	Gerald K. Gifford, D.C.	4996	Improper billing
08	Karen G. Harkins, D.C.	2043	Failure to report charges
09	Thomas M. LaBrot, D.C.	3300	Discipline in another state

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
10	2007-056	Nicholas A. Tivoli, D.C.	5879	Consider lifting stay of Probation

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
11	2012-010	Joanne Hauptert, D.C.	5785	Approve or Deny Consent Agreement

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.	ALLEGATIONS
12	Jeremy R. Buckner, D.C.	7490	Failure to properly identify chiropractic; misleading advertising
13	Lonnie P. Finney Jr., D.C.	7859	Failure to properly identify chiropractic; misleading advertising
14	Michael V. Healey, D.C.	7538	Failure to properly identify chiropractic; use of a name other than licensed; misleading advertising
15	Christopher J. Kelsch, D.C.	7319	Failure to properly identify chiropractic; misleading advertising
16	Kristy Morgan, D.C.	8050	Failure to properly identify chiropractic; misleading advertising
17	Thomas A. Morgan, D.C.	8057	Failure to properly identify chiropractic; misleading advertising
18	Christopher D. Nance, D.C.	7662	Failure to comply with Chiropractic Assistant regulations
19	Ronald J. Vigneau Jr., D.C.	8260	Failure to properly identify chiropractic; misleading advertising
20	Shawn A. Vigneau, D.C.	7942	Failure to properly identify chiropractic; misleading advertising
21	Erin L. Waychoff, D.C.	7926	Failure to properly identify chiropractic; misleading advertising

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.	
22	2011-104	Russell S. Dal Molin, D.C.	5791	Previously tabled for receipt of Domestic Violence Class documentation
23	2012-031	Jeffrey D. Laufenberg, D.C.	5508	Previously tabled for receipt of Continuing Education documentation

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

Licensure by Examination:

TAB NO.	APPLICANTS	
24	Donovan Adendorf, D.C. Dyana L. Mulvihill, D.C. Russell C. Teames, 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		

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

TAB NO.	APPLICANTS	
25	Robert Licata, 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	
26	Donovan Adendorf, D.C. Jason R. Golec, D.C. Dyana L. Mulvihill, D.C. Russell C. Teames, D.C.	

Acupuncture:

TAB NO.	APPLICANTS	
27	Dan H. Froerer, D.C. Serena Hettick, D.C.	

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

Chiropractic Assistant:

TAB NO.	APPLICANTS	
28	Michelle LeBlanc, D.C. Jeffrey Lynn, D.C.	Approval to Instruct a Chiropractic Assistant Training Course
29	Roger P. Walker	Rescinding Approval to Instruct a Chiropractic Assistant Training Course

Preceptorship:

TAB NO.	APPLICANTS	PROGRAM DATES
30	John T.W. Ball, D.C. with Jordan Ball	03/05/2013 to 06/14/2013

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

TAB NO.	
31	Affiliated Monitors, Inc. Presentation – For Information Only
32	National Insurance Crime Bureau Presentation – For Information Only
33	Michel Sucher, M.D. – Substance Abuse and Monitoring Issues – For Information Only
34	Office of the Attorney General – arriving at findings and conclusions of law for both disciplinary and non-disciplinary orders –For information only
35	Continuing Education provider, clarification of R4-7-801(D)(1) –college or university that meets the requirements of A.R.S. § 32-921(B)(2)(a)
36	Report on legislation that may impact the Arizona Chiropractic Board, the practice of chiropractic, or State of Arizona agencies
37	Cash flow – budget report-verbal

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