



State of Arizona Board of Chiropractic Examiners

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12/09/2011

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

Janice K. Brewer
Governor

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P. Dianne Haydon, D.C.
Chairperson

Susan Wenberg, D.C.
Vice Chairperson

James J. Badge, D.C.
Member

Norris Nordvold
Member

Frances Hanson
Member

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Patrice A. Pritzl
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 **Thursday, February 16, 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 9th 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, **February 13th, 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 9th day of December 2011

By 
Patrice A. Pritzl, Executive Director

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

****FINAL****
BOARD MEETING AGENDA
Thursday
February 16, 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 January 12, 2012
2	Executive Session Minutes for January 12, 2012

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
3	2011-074	Nicholas Poff		Consent Agreement and Order for Issuance of License and Letter of Concern

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.	
VACANT				

- 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.	
4	2010-078 & 2012-012	Peter J. Gariboldi, D.C.	4579	Consolidation of cases for Formal Interview
5		Pejman Pourarbab, D.C.	7052	Reconsideration of whether to open a complaint
6	NJ2012-044	Qingsong Xiao	Unlic	Dismissal pending evidence of correction to advertising

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.	ALLEGATIONS
7	Rebecca D. Bell, D.C.	5145	Misleading advertising; practicing under a different name; failure to use D.C.
8	Jennifer L. Borgert, D.C.	8175	Practicing under a different name and failure to use D.C.
9	Steven C. Cox, D.C.	8115	Substandard care
10	Trent Freeman, D.C.	7450	Misleading advertising
11	Nicole C. Gaitanis-Ioli, D.C.	7159	Misleading advertising; practicing under a different name; practicing acupuncture without certification; exceeding scope of practice
12	Peter Kan, D.C.	7415	Misleading advertising; failure to properly identify practice of chiropractic; exceeding the scope of practice
13	Lynn C. Kozlowski Stone, D.C.	5829	Exceeding scope of practice
14	Jeffrey A. Lowy, D.C.	2008	Exceeding scope of practice and failure to properly identify practice of chiropractic
15	John R. McDonald Jr., D.C.	4200	Providing substandard care
16	Walter E. Parish, D.C.	4149	Failure to comply with continuing education requirements
17	Keith L. Quisberg, D.C.	4915	Action taken in another state
18	Taylor I Ramsdell, D.C.	8186	PMMTP without proper certification and failure to use D.C.
19	P. Andrew Richetto, D.C.	7873	Misleading advertising; treating by secret means; failure to properly identify practice of chiropractic and practicing under a different name

20	Allen E. Stout, D.C.	7353	Misleading advertising
21	Shari R. Webster, D.C.	6085	Misleading advertising
22	Dawn Wietfeldt, D.C.	7807	Action taken in another state
23	Darren Kalanj, D.C.	7417	Failed to Disclose Disciplinary Action in Another Jurisdiction on a license reinstatement application

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
24	2007-056	Nicholas A. Tivoli, D.C.	5879	Continue stay of Probation

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

Licensure by Examination:

TAB NO.	APPLICANTS	
25	Brittany S. Baer, D.C. Shelley A. Bengard, D.C. Stephen B. Hill, D.C. Refky S. Mikhael, D.C. Scott A. Taylor, D.C. Charles W. Tyler, D.C. Carol Lynn Watkins, D.C.	

Licensure by Reciprocity:

TAB NO.	APPLICANTS	
VACANT		

Licensure by Examination with Disclosure:

TAB NO.	APPLICANTS	DISCLOSURE
26	Anthony Kassube, D.C.	Disclosed Misdemeanor Conviction
27	Jordan H. Mackner, D.C.	Disclosed Misdemeanor Conviction
28	Nicholas K. Poff, D.C.	Undisclosed Misdemeanor Conviction with Proposed Consent Agreement for License Issuance

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	
29	Darren Kalanj, D.C.	From Administrative Suspension with Undisclosed Disciplinary Action in Another Jurisdiction and Whether to Open a Complaint or Take Other Action

- 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	
30	Brittany S. Baer, D.C. Shelley A. Bengard, D.C. Stephen B. Hill, D.C. Refky S. Mikhael, D.C. Adam T. Molden, D.C. Scott A. Taylor, D.C. Charles W. Tyler, D.C. Carol Lynn Watkins, D.C.	

Acupuncture:

TAB NO.	APPLICANTS	
31	Brittany S. Baer, D.C.	

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
32A	Jeremy Buckner, D.C. with Joseph Vigneau	03/06/2012 – 06/15/2012

32B	Torsten Stein, D.C. With Lucas D. Chesser	02/27/2012 – 04/14/2012
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Q. Board Business – Review, discussion and possible action regarding the following:

TAB NO.	
33	Approval of Draft Internal Procedure Policy regarding Identification of Chiropractic throughout the Patient Record
34	Approval of Draft Rules for Continuing Education
35	Report on Legislation with potential impact on the Board Regulation or the Profession
36	National Board of Chiropractic Examiners Question Regarding a Proposed NBCE Examination for Chiropractic Assistants
37	Appointment of Delegate and Alternate Delegate for the Federation of Chiropractic Licensing Boards and the National Board of Chiropractic Examiners Annual Meetings
38	Budget/Cash Flow Report
39	Board Member Laptop Distribution

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