



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 February 19th, 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 **February 17th 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

BOARD MEETING AGENDA
Wednesday
February 19, 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 January 15, 2014

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.	
02	2014-004	David J. Hobbs, D.C.	6059	

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.	
03	2013-041	Dean J. Micalizio, D.C.	4280	
04	2013-044	Jay B. Phillips, D.C.	7666	

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 or Formal Hearing.

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

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
05	Albert Alyeshmerni, D.C.	4131	False or misleading advertising
06	Terry Coyle	Unlic	Possible referral pursuant to A.R.S. § 32-927 and continued investigation
07	Allen E. Stout, D.C.	7353	Aiding and abetting unlicensed practice
08	Christopher Mayhew, D.C.	5634	Felony charges and Failure to report charges within 10 days
09	Victor J. Khoury, D.C.	5499	Failure to notify of Chiropractic Assistant hire
10	Thao T. Nguyen, D.C.	8134	Failure to notify of Chiropractic Assistant hire
11	Scott A. Quinn, D.C.	7869	Unprofessional Conduct and Failure to report charges within 10 days
12	Jed Zastrow, D.C.	7545	Improper treatment

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

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

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

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

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.	
13	Glenn C. Appell, D.C.	5504	Failure to notify of Chiropractic Assistant hire
14	Mohammad A. Awad, D.C.	7880	Failure to notify of Chiropractic Assistant hire
15	James R. Freeman, D.C.	3201	Failure to notify of Chiropractic Assistant hire
16	Russell V. Harper, D.C.	829	Failure to notify of Chiropractic Assistant hire
17	Andrew J. Purtiman, D.C.	7389	Failure to notify of Chiropractic Assistant hire
18	Benjamin B. Wojciak, DC	7784	Failure to notify of Chiropractic Assistant hire

- 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.	
Vacant				

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

Licensure by Examination:

TAB NO.	APPLICANTS	
19	Michael Andreula, D.C. Maegan R. Istok, D.C. Bruce E. Mounsey, D.C. Heather M. Stewart, D.C. Alexander J. Svac, D.C. Ryan E. Wilk, D.C. Christian N. Wong, D.C.	

Licensure by Reciprocity:

TAB NO.	APPLICANTS	
Vacant		

Licensure by Examination with Disclosure:

TAB NO.	APPLICANTS	DISCLOSURE
20	Brett R. Pfeifle, D.C.	Application for Licensure by Examination and Physical Medicine Modalities and Therapeutic Procedures Certification with Disclosed Arrest.

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	
21	Joshua R. Luster D.C.	From Administrative Suspension
22	Scott Norris D.C.	From Administrative Suspension
23	Barry L. Oglesbee D.C.	From Inactive
24	Irma J. Kaleta, D.C.	From Administrative Suspension

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	
25	Michael Andreula, D.C. Maegan R. Istok, D.C. Bruce E. Mounsey, D.C. Heather M. Stewart, D.C. Alexander J. Svac, D.C. Ryan E. Wilk, D.C. Christian N. Wong, D.C.	

Acupuncture:

TAB NO.	APPLICANTS	
Vacant		

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
Vacant		

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

TAB NO.	
26	Legislative Update
27	Consideration of approval for Arizona Professional Monitoring to provide Probation Monitoring Services on behalf of the Board
28	Budget Update
29	Executive Director’s Report <ul style="list-style-type: none"> • Secure Flash Drives

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