



## State of Arizona Board of Chiropractic Examiners

5060 North 19<sup>th</sup> Avenue Suite 416  
Phoenix, Arizona 85015  
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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 March 19<sup>th</sup>, 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 10<sup>th</sup> day of January 2014.**

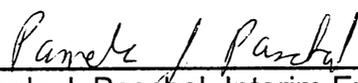
BOARD OF CHIROPRACTIC EXAMINERS

By   
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 **March 17<sup>th</sup> 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 10<sup>th</sup> of January 2014**

By   
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**  
**March 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 February 19, 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	2013-016, 2009-074 & 2012-050	Clifton G. Mack, D.C.	6098	

**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, forwarding the matter for further investigation or Formal Interview.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
03	2014-006	Alexander J. Carr, D.C.	7388	
04	2014-010	John D. Pham, D.C.	7151	
05	2014-022	Justin C. Ross, D.C.	7827	
06	2014-024	Jeff R. Alfred, D.C.	3674	
07	2014-033	Phillip J. Pokorny, D.C.	5604	
08	2014-025	Kent R. Pederson, D.C.	5817	
09	2014-026	Andrew B. Anthony, D.C.	7556	
10	2014-027	Paul S. Huffman, D.C.	5112	

**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
11	Scott A. Quinn, D.C.	7869	Abuse of alcohol/Unprofessional Conduct

**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.	
12	2012-007 & 2012-009	Damian E. Smith, D.C.	6086	

**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.	
13	2014-011	Roland F. Phillips Jr., D.C.	3770	

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
14	2014-035	Bryan J. Mack, D.C.	7473	No basis to proceed

**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	Samuel D. Sickmeyer, D.C.	

**Licensure by Reciprocity:**

TAB NO.	APPLICANTS	
16	Rosemary E. Zimmerman, D.C.	

**Licensure by Examination with Disclosure:**

TAB NO.	APPLICANTS	DISCLOSURE
17	Kyle Mroczek, D.C.	Application for Licensure by Examination and Physical Medicine Modalities and Therapeutic Procedures Certification with Disclosed Arrests.

**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	
Vacant		

- 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	Rosemary E. Zimmerman, D.C.	

**Acupuncture:**

TAB NO.	APPLICANTS	
19	Kyle E. French, D.C. Michael J. Austin, 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
Vacant		

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

<b>TAB NO.</b>	
20	Legislative Update
21	Discussion regarding potential Information Technology Upgrade
22	Budget Update
23	Executive Director's Report: <ul style="list-style-type: none"><li>• Investigation of issues regarding Failure to Notify of Chiropractic Assistant hire</li><li>• Annual Report published on website</li><li>• Licensing Manager attendance at DPS Fingerprint Training and resultant changes to policy</li><li>• Potential use of Legislative Liaison for 2015 Session</li></ul>

**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**