



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, April 12, 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 (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, **April 9th, 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**

****AMENDED FINAL**
BOARD MEETING AGENDA
Thursday
April 12, 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.	
01	Regular Meeting Minutes of March 15 th , 2012

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

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

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.	
02	2010-078 & 2012-012	Peter Gariboldi, D.C.	4579	
03	2011-012, 2011-013 & 2011-034	Daniel Talley, D.C.	7202	

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.	
04	2011-088	Rodney Ray, D.C.	3010	

- 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.	
05	2011-016	Frank B. Hatch, D.C.	5057	Litigation status update – For Information Only
06	2011-028	Lynn C. Kozlowski Stone, D.C.	5829	Whether to Open for False/misleading advertising and exceeding scope of practice

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
07	Brian W. Grow, D.C.	8110	False/misleading advertising
08	Stephen A. Gubernick, D.C.	8103	False/misleading advertising
09	Steven R. Knauf, D.C.	8200	False/misleading advertising
10	Tracy L. Regan, D.C.	8100	False/misleading advertising
11	Allene D. Rummage, D.C.	5178	False/misleading advertising
12	David W. Hancock, D.C.	2025	Failure to properly release records
13	Gene James, D.C.	4545	Failure to notify change of address and pay penalty
14	John L. MacDonald, D.C.	7949	False/misleading advertising
15	Troy D. Scheible, D.C.	5432	Failure to report within 10 days and possible conviction of misdemeanor or felony
16	Bruce K. Schmidt, D.C.	5951	Substandard care
17	Deva H. Usrey, D.C.	7971	Failure to comply with continuing education requirements
17A	Christopher R. Butler, D.C.	7506	Failure to report charges within 10 days; making false statements; attempting to procure a license through fraud or deception; committing a misdemeanor involving moral turpitude or a felony; and abusing alcohol, narcotics or stimulants.

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
18	2011-051	Stephen S. Shuffler, D.C.	8185	Termination 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	
19	Carissa S. Abe, D.C. Brandon L. Boothe, D.C. Matthew L. Bradley, D.C. Benny Cocio, Jr., D.C. Charles D. Everts, D.C. Yolanda M. Loafer, D.C. Tracey A. Ryder, D.C. Ronald J. Vigneau, D.C. Natasha R. Williams, D.C.	

Licensure by Reciprocity:

TAB NO.	APPLICANTS	
Vacant		

Licensure by Examination with Disclosure:

TAB NO.	APPLICANTS	DISCLOSURE
20	Noe M. Carranza, D.C.	Disclosed Misdemeanor
21	Jennifer L. Rada, D.C.	Disclosed Disciplinary Action in Another Jurisdiction

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	
Vacant		

- 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	
22	Carissa S. Abe, D.C. Brandon L. Boothe, D.C. Matthew L. Bradley, D.C. Charles D. Everts, D.C. Bryan Geier, D.C. Tracey A. Ryder, D.C. Ronald J. Vigneau, D.C. Natasha R. Williams, D.C.	

Acupuncture:

TAB NO.	APPLICANTS	
Vacant		

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

Chiropractic Assistant:

TAB NO.	APPLICANTS	
23	Carrington College – Mesa Campus	Continuation, Modification, or Withdrawal of Approval of Chiropractic Assistant Training Course

Preceptorship:

TAB NO.	APPLICANTS	PROGRAM DATES
Vacant		

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

TAB NO.	
24	Richard Hijazi, D.C. – License Renewal Disclosure of Health Condition
25	Legislation applicable to the Board, regulation or the profession
26	Cash flow/budget report
27	Update on filing of proposed rulemaking
28	National meeting representation for Federation of Chiropractic Licensing Boards and National Board of Chiropractic Examiners

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