

## State of Arizona Board of Chiropractic Examiners

5060 North 19<sup>th</sup> Avenue Suite 416  
Phoenix, Arizona 85015  
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TTY (800) 367-8939 (Arizona Relay Service)

04/24/2014

### 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 May 14<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 24<sup>th</sup> day of April 2014.**

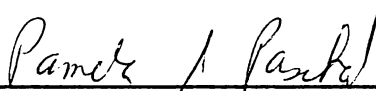
BOARD OF CHIROPRACTIC EXAMINERS

By   
Pamela J. Paschal, 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 **May 12<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 24<sup>th</sup> of April 2014**

By   
Pamela J. Paschal, Executive Director

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  
Executive Director

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

**\*\*Final\*\***  
**BOARD MEETING AGENDA**  
**Wednesday**  
**May 14, 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	Board meeting minutes of April 09, 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	2014-003	Michael D. Miller, D.C.	5422	

**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	2014-034	Gregory K. Penniston, D.C.	3199	
04	2014-036	Steven C. Cox, D.C.	8115	
05	2014-037	James S. Koop, D.C.	6077	
06	Vacant			
07	2014-039	Richard M. Shand, D.C.	7108	
08	2014-042	James W. Larson, D.C.	535	
09	2014-043	Michael L. Akerson, D.C.	5932	
10	2014-046	Bryan T. Sloyan, D.C.	8058	
11	2014-047	Albert Alyeshmerni, D.C.	4131	

**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
Vacant			

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
12	2012-105	Nicholas K. Poff, D.C.	8240	Terminate Probation

ARIZONA STATE BOARD OF CHIROPRACTIC EXAMINERS  
BOARD MEETING AGENDA

May 14, 2014

Page 4 of 7

**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.	
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.	
Vacant				

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
13	2014-045	Cameron J. P. Sembaluk, D.C.	6060	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	
14	Alan Barnes, D.C. Gail Beard, D.C. Eric Garst, D.C. Denise Holtzman, D.C. Joseph Iaccino, D.C. Shenita Staggers, D.C. Erik Wagner, D.C. Chad Wolsey, D.C.	

**Licensure by Reciprocity:**

TAB NO.	APPLICANTS	
Vacant		

**Licensure by Examination with Disclosure:**

TAB NO.	APPLICANTS	DISCLOSURE
15	Jamie N. Clouse, D.C.	Disclosed Misdemeanors - Traffic
16	Leo R. Dodier III, D.C.	Disclosed Misdemeanors - Civil
17	Craig Epstein, D.C.	Disclosed Misdemeanors - Civil

**Licensure by Reciprocity with Disclosure:**

TAB NO.	APPLICANTS	DISCLOSURE
18	Scott A. Bockelmann D.C.	Undisclosed Misdemeanors -Traffic



**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.	
22	A.A.C. R4-7-1401 thru 1408 Business Entity Rules to Governor’s Regulatory Review Council for consideration
23	Legislative Wrap-Up
24	Budget Update
25	Proposed Miscellaneous Fee Increases – A.A.C. R4-7-1301
26	Proposed Fee Increase Request for 2015 Legislative Session
27	Proposed Legislative Liaison Request for Quotation
28	Executive Director’s Report <ul style="list-style-type: none"> <li>• FCLB Meeting Report</li> <li>• Licensure and Complaint Statistics</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**