



## State of Arizona Board of Chiropractic Examiners

5060 North 19<sup>th</sup> Avenue Suite 416  
Phoenix, Arizona 85015  
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12/09/2011

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

Janice K. Brewer  
Governor

•••  
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

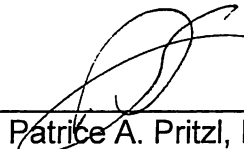
Pursuant to A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN to the members of the Arizona State Board of Chiropractic Examiners and to the general public that the Board of Chiropractic Examiners will hold a scheduled meeting. The meeting will be open to the public, on **Thursday, June 14, 2012** at 5060 North 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 9<sup>th</sup> 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, **June 11th, 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 9<sup>th</sup> 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**  
**June 14, 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	Meeting Minutes of May 17 <sup>th</sup> , 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	2011-036 & 2012-018	Richard Madrid, D.C.	3052	

**G. 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.	
03	2010-056 & 2012-006	Charles Spear, D.C.	7147	
04	2011-018	Shelly Childers, D.C.	7991	

**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.	
05	2012-078	Peter Kan, D.C.	7415	
06	2012-013	Charles P. Spear, D.C.	7147	

**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.	
07	2011-043	Robert L. Gear Jr., D.C.	554	

**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
08	Kevin A. Fox, D.C.	5716	Failure to comply with continuing education requirements; making false statements; attempting to procure license through fraud or deception
09	Jacob Hoerr, D.C.	5425	Possible administrative suspension for failure to comply with continuing education requirements
10	Shaun W. Hudson, D.C.	5652	Failure to provide information to the Board
11	John A. Klitzke, D.C.	7010	Possible administrative suspension for failure to comply with continuing education requirements
12	Chance Moore, D.C.	7194	Failure to comply with Chiropractic Assistant registration requirements
13	Mark J. Falcon, D.C.	5038	Failure to comply with Chiropractic Assistant registration requirements
14	Nicholas K. Poff, D.C.	8240	Use of alcohol
15	Jennifer Rasp-Bickerton, D.C.	5686	False/misleading advertising, failure to properly identify chiropractic; exceeding scope of practice
16	Eric J. Vindiola, D.C.	6002	Failure to comply with Chiropractic Assistant registration requirements

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
17	2006-128	Carmen N. Brodeur, D.C.	6042	Review stay granted to terms of probation
18	2006-129	Marc A. Brodeur, D.C.	6010	Review stay granted to terms of probation
19	2010-077	Caron C. Pedersen, D.C.	5882	Review stay granted to terms of probation
20	2011-088	Rodney D. Ray, D.C.	3010	Open complaint for failure to comply with terms 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	
21	Drew L. Deppen, D.C. Rick Allen Long, D.C. William D. Luster, D.C. Patrick Vincent Suglia, D.C.	

**Licensure by Reciprocity:**

TAB NO.	APPLICANTS	
Vacant		

**Licensure by Examination with Disclosure:**

TAB NO.	APPLICANTS	DISCLOSURE
22	Bryce L. Hardy, D.C.	Accommodation Request

**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	
23	Benjamin S. Dunevitz, D.C. Thomas Iwashita, D.C. Stephen J. Svastits, D.C.	From Administrative Suspension
24	Kevin A. Fox, D.C.	From Administrative Suspension with Consideration of Whether to Open a Complaint or Take other Action
25	Chad C. Hood, D.C.	From Inactive Status

- 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	
26	Drew L. Deppen, D.C. Rick Allen Long, D.C. William D. Luster, D.C. Patrick Vincent Suglia, 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	
Vacant		

**Preceptorship:**

TAB NO.	APPLICANTS	PROGRAM DATES
Vacant		

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

TAB NO.	
27	Review and action on written commentary with a deadline of May 14, 2012 for R4-7-404, R4-7-504, and R4-7-601 proposed rulemaking five-year rule review amendments and R4-7-801 and R4-7-802 continuing education proposed rulemaking.
28	Executive Director Evaluation
29	Cash flow/budget report – report at meeting
30	Proposed changes to license template
31	Introduction of new Board member Richard Guarino, D.C.
32	Commendation to departing Board members Susan Wenberg, D.C. and Frances Hanson



**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**